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Contemporary Southeast Asia

Vol. 27, 2005, 1-3

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CONTEMPORARY SOUTHEAST ASIA

A JOURNAL OF INTERNATIONAL AND STRATEGIC AFFAIRS

Vol. 27
2005
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ISSN 0129-797X

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	Individuals (Print & electronic)	Institutio
Asia/Japan/Aust/N.Z.	US$42	US$6(
Europe/North America/Africa/Mid. East	US$51	US$8(
Singapore/Malaysia/Brunei	S$66	S$10

These annual rates include electronic delivery as well as the printed copy by a *CSEA* is published three times a year, in April, August and December. Subscripti orders and enquiries should be addressed to:

The Managing Editor
Institute of Southeast Asian Studies
30 Heng Mui Keng Terrace, Pasir Panjang
Singapore 119614
Tel: 68702483, 68702474 Fax: 67756259
E-mail: pubsunit@iseas.edu.sg

Electronic Access

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Print version: Complete sets of back issues may be obtained from Schmidt Periodic GmbH, Orsteil Dettendorf, D-83075 Bad Feilnbach, Germany (Tel: 8064-2 Fax: 8064-557).

Contemporary Southeast Asia (CSEA) is indexed in the International Bibliograp of Periodical Literature; International Bibliography of Book Reviews; Sage Pub Administration Abstracts; Historical Abstracts (ABC-CLIO); America: History a Life (ABC-CLIO); PAIS International; Contents Pages on Asia (INSEAD); Wo Affairs Online; International Political Science Abstracts; Ingenta; EBSCO Publishi Sociological Abstracts; ProQuest Information and Learning; Gale Group; and Emerging Markets.

Printed in Singapore by Seng Lee Press
Typeset by Stallion Press, Singapore
Cover Printed in Singapore by Superskill Graphics Pte Ltd

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MICHAEL LEIFER
Memorial Prize

for the best article published in

- *ASEAN Economic Bulletin*
- *Contemporary Southeast Asia*
- *Sojourn: Social Issues in Southeast Asia*

The Michael Leifer Memorial Prize is awarded by the Institute of Southeast Asian Studies (ISEAS) in memory of the late Michael Leifer (1933–2001), Professor Emeritus in International Relations at the London School of Economics and Political Science and the founding Director of the School's Asia Research Centre.

Professor Leifer has rightly been described as the doyen of Southeast Asian Studies. He wrote and edited over 20 books and published over 150 scholarly articles on the international relations and domestic politics of Southeast Asia. His analysis of contemporary regional developments reached a worldwide audience through his regular broadcasts over the BBC. At the LSE he nurtured a generation of Southeast Asianists from all over the world, most significantly from Southeast Asia itself. Many of them became prominent in academe, think-tanks, media and government. His encyclopaedic knowledge of the region was masterfully displayed in his *Dictionary of the Modern Politics of Southeast Asia*, which has gone through three editions. During one of his sojourns at ISEAS he brought his editorial skills to bear on the speedy publication of David Marshall's *Letters from Mao's China*. Professor Leifer's last book, *Singapore's Foreign Policy: Coping with Vulnerabilities*, remains an unrivalled study on Singapore, the place that was his first steppingstone in a lifetime of academic journeying into Southeast Asian Studies.

Professor Leifer first visited Singapore in 1963 as a young lecturer from the University of Adelaide. During a professional life spanning nearly 40 years he paid numerous visits to Singapore where his considered views and analysis were much sought after by academics, the media and policy-makers alike. Appointed Senior Professorial Fellow at ISEAS between 1995 and 1997, he made many valuable contributions to the work of the Institute. He also served on the international advisory committee for *Contemporary Southeast Asia*, a major journal of ISEAS.

In recognition of Professor Leifer's valuable contributions to scholarship in Southeast Asian Studies and the unstinting encouragement he gave to aspiring young scholars in the field, ISEAS is instituting the Michael Leifer Memorial Prize. An award of S$3,000 will be given biennially for the best article published in one of ISEAS' three journals namely, the *ASEAN Economic Bulletin*, *Contemporary Southeast Asia* and *Sojourn: Social Issues in Southeast Asia*. A Prize Committee, made up of the editors of the three journals, eminent scholars, and the Director of ISEAS, will be tasked with selecting the article on the basis of its analytical rigour, conceptual clarity and soundness, and general contribution to Southeast Asian scholarship.

The first prize will be awarded in 2005 based on articles published in 2003 and 2004.

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Contemporary Southeast Asia 27, no. 1 (2005): 1–20 ISSN 0219-797X

The Five Power Defence Arrangements: Southeast Asia's Unknown Regional Security Organization

DAMON BRISTOW

This article traces the evolution of the Five Power Defence Arrangements (FPDA) since its establishment in 1971 to the present day. It details the evolution of the FPDA's three main pillars: the Integrated Area Defence System (IADS), the architecture for political–military dialogue, and the exercise programme. In addition, the article tries to place the FPDA in the context of the security roles played by ASEAN, the ARF, intra-regional bilateral military ties, and the defence relationship with United States. It argues that, while the FPDA's role in upholding regional security cannot be equated to the military contribution of the United States, and the grouping certainly faces significant challenges, it nevertheless contributes positively and innovatively to the ability of Malaysia and Singapore to address not only conventional threats, but increasingly asymmetric and non-conventional security challenges as well, thereby contributing to the overall maintenance of regional security.

Introduction

It is not often that the Five Power Defence Arrangements (FPDA), a little known military consultation agreement between Australia, Malaysia, New Zealand, Singapore, and the United Kingdom, makes the news. However, in 2004 it did exactly that: at the conclusion of their second Informal Meeting in Singapore on 7 June the FPDA's five Defence Ministers issued a statement that not only "reaffirmed the relevance of the FPDA", but also "recognised the need for the FPDA to

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adapt to new challenges in the regional security environment, including threats from terrorism and a range of other non-conventional sources".[1] The main reason the announcement gained so much attention was that it followed a spat between Malaysia and the United States about suggestions that the latter was considering deploying, in partnership with Singapore, marines and special operations forces in high-speed vessels in the Malacca Strait to counter the threat of terrorism,[2] creating the impression that the two events were somehow related.

While the complexities and subtleties of contemporary Malaysia-U.S. relations have been closely examined, little substantive research has been conducted in the past decade on the role and evolution of the FPDA. Far more attention has been paid to the Association of South East Asian Nations (ASEAN), which has a role of sorts, the ASEAN Regional Forum (ARF), which is tasked with looking specifically at regional security issues, and to the role of the United States, which in "hard security" terms continues to be the major contributor to regional security. When the FPDA is mentioned it tends to be characterized as a relic of history. This article is offered as an attempt to redress the balance.

There is an understandable tendency, especially within the Asia Pacific region, to treat those organizations that feel the need to "re-affirm" their own relevance with some suspicion. Yet, while it is true that where there is smoke there is usually fire, this paper argues that the 7 June 2004 statement marks yet another milestone in the evolution of the FPDA, which started its life in 1971 as a transitional arrangement to provide security for Malaysia and Singapore "for a few years as they developed their own defence capabilities" (Crowe 2001, p. 3). Just as importantly insofar as the nay-sayers are concerned, rhetorical flourishes by the FPDA's Defence Ministers have been accompanied by concrete, although not always newsworthy, actions. Against this backdrop, the article attempts to highlight the FPDA's success in responding concretely to changes in the regional security environment and the shifting defence and security priorities of its members, albeit within the context of its admittedly limited aspirations. In the process it argues that the FPDA complements and in some ways exceeds the security contribution of other, established, multinational organizations in the region.

A Brief History of the FPDA

The FPDA is the product of two interrelated forces: the process of rapid decolonization in Southeast Asia that started at the end of the Second World War; and the corresponding geopolitical climate and security conditions that prevailed in the region at the time. Key

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events insofar as the formation of the FPDA are concerned were: independence from the Netherlands and the formation of the Republic of Indonesia in December 1949; and the commencement of lengthy negotiations leading to independence from the United Kingdom, and the formation of the Federation of Malaya. One consequence of the formation of these two, new, nations and nationalisms was the occurrence of tensions between them.

Under President Sukarno, Indonesia pursued what was termed as an "active foreign policy". Among other things, Sukarno was opposed to Malaysian Prime Minister Tunku Abdul Rahman's idea of a new enlarged federation called Malaysia, comprising Singapore, the oil-rich sultanate of Brunei, British North Borneo (now Sabah) and Sarawak. (The latter three are located on the island of Borneo, or Kalimantan, the majority of which is Indonesian territory. Along with Singapore, Sabah and Sarawak joined Malaysia in 1963 following a referendum). Paradoxically, given Indonesia's own colonially defined territory, Sukarno viewed the concept of Malaysia as a neo-colonial creation. He was also upset at not being consulted over its formation. His invective against Malaysia took on an increasingly hostile tone as his government faltered and domestic pressures on him increased as the Indonesian economy effectively collapsed (Anderson 1998, p. 287; Legge 2003, p. 375). The successful policy of "confrontation" with the Netherlands leading to the acquisition of West New Guinea (now West Papua) was followed by another "confrontation" with Malaysia (Legge 2003, p. 401). On 10 July 1963 Sukarno threatened in a speech to "crush Malaysia". In early 1964 Indonesian-backed irregulars infiltrated Sabah and Sarawak. Between 16 August and 29 October Indonesian paratroopers dropped along the coast of Johor as far up as Malacca (Drysdale 1984, pp. 362–5 and Legge 2003, pp. 407–12). A series of bomb blasts occurred in Singapore over this period, the most serious of which happened outside MacDonald House on Singapore's Orchard Road in early 1965. Three people were killed and thirty-three others injured. Two Indonesian commandos were eventually charged with committing the attack and sentenced to death. Despite Indonesia's policy of "confrontation" and the ensuing tumult, Malaysia was officially formed on 17 September 1963, without the inclusion of Brunei. Singapore was originally part of the Federation but separated in 1965.

After the Second World War, the security of Malaya had been provided mainly by the United Kingdom, which resumed control over its former colony, under ANZAM, an "arrangement" that allowed for the stationing of British, Australian and New Zealand forces and their use during the Malayan Communist Insurgency, which began in 1948 and did not effectively end until the mid-1960s

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(Crowe 2001, pp. 4–5). Following the decision to grant independence to Malaya in 1957, ANZAM was renewed, leading to a more substantive commitment: the Anglo Malayan Agreement on External Defence and Mutual Assistance (Crowe 2001, p. 4). The agreement was renamed the Anglo-Malaysian Defence Agreement in 1963 after Malaysia was formally created. This allowed troops from the militaries of Australia, New Zealand and the UK to remain in Butterworth (Malaysia) and in Singapore after independence. Their presence, and the existence of the AMDA, helped newly formed Malaysia to resist Indonesia's policy of "confrontation".

The threat from Indonesia receded following Sukarno's ouster by General Soeharto in 1965, and the formation of ASEAN in 1967, in which Jakarta played a leading role. In the same year, driven by a host of geopolitical, and domestic political and economic considerations including a major balance of payments crisis, the then British Labour government decided to pull out the majority of its military forces "east of Suez". After the experience of "confrontation" both Malaysia and Singapore nevertheless remained keen to retain some form of security cooperation with the former colonial power, not least because their defence capabilities were extremely limited at this time.[3] New Zealand and especially Australia, which at that time saw Jakarta as a possible major threat to their security, were concerned at the possibility of a power vacuum forming in the region, and in this context espoused the notion of "forward defence" (Khoo 2000, p. 109). Both countries wanted to maintain defence links with Malaysia and Singapore as well as the United Kingdom. Both Canberra and Wellington therefore retained a military presence in peninsular Malaysia and in Singapore. The Cold War was also at its height. And under the terms of the Guam Doctrine, outlined by U.S. President Richard Nixon in 1969 in the context of the ongoing confrontation in Vietnam, there was an expectation that Australia and New Zealand would make an active contribution to regional security (Crowe 2001, p. 4).

Against this backdrop, discussions soon began on an arrangement to replace the AMDA. At the time, the primary concern was that, because of the weakness in Malaysian and Singaporean airpower, the British withdrawal would leave a major gap in the region's air defence. A study team was therefore established to form a multinational air defence organization for Malaysia and Singapore. Parallel to this, after meetings in Kuala Lumpur (June 1968) and Canberra (June 1969), a major military exercise representing a future without UK forces based on the region was held in Malaysia in 1970 (Crowe 2001, p. 5). In the same year, a Conservative government was returned to power in the UK

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and quickly moved to reassure its partners that a modest security presence in the Far East would be maintained.

On 16 April 1971 the Defence Ministers of the five countries met in London. The objective of the discussions was to find a mutually acceptable formula that did not impose any "undue strain or obligation on any party". The upshot was the FPDA: a set of arrangements, which obliged all parties to immediately consult each other in the event of any external aggression or threat of attack against either Malaysia or Singapore "for the purpose of deciding what measures should be taken jointly or separately in relation to such an attack or threat".[4] These arrangements stood in "sharp contrast to the defence guarantees that AMDA embodied" (Chin 1991, p. 194). On 1 November AMDA was terminated and the FPDA came into force. Exactly one month later, Malaysia and Singapore concluded bilateral defence agreements with the other three members (Khoo 2000, p. 109); these helped to underpin the grouping further. Scepticism about the FPDA was present from the beginning, with some suggesting that the FPDA was only a temporary arrangement to allow the British to get out of their commitments east of Suez (Chin 1991, p. 193).

Organizational Structure

The FPDA comprises three major pillars. First, although the FPDA does not require the stationing of multinational forces in either Malaysia or Singapore, on 1 September 1971, FPDA members agreed to form the Integrated Air Defence System (IADS)[5] to take responsibility for the defence of Malaysian/Singapore airspace, which was considered to be indivisible. Now known as the Integrated Area Defence System, this is the only standing component of the FPDA to this day.

Second, and perhaps most importantly, the FPDA has evolved over its lifetime a robust infrastructure for military–political consultations. In 1971, two organizations for the management of the FPDA were established: the Joint Consultative Council (JCC), as a forum for regular consultation at senior official level, and the Air Defence Council (ADC), responsible for the functioning of IADS (Ang 1998, p. 51). Membership of both the JCC and the ADC comprised the Secretary General from the MOD in Malaysia and the Permanent Secretary of the Ministry of Defence in Singapore (Ang 1998, p. 51). The High Commissioners from the relevant Australian, British and New Zealand High Commissions in Malaysia and Singapore participate (Crowe 2001, p. 13). From time to time, the FPDA's Defence Ministers also met.

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This framework has been steadily expanded over the years. In 1981, as a direct consequence of the expansion of the third pillar of the FPDA, its exercise programme (see following section), the Exercise Scheduling Conference (ESC) was established and given responsibility for monitoring and coordinating all FPDA non-air defence related activities (Crowe 2001, p. 27). In 1988, Malaysia suggested, and it was agreed, that the meeting of Defence Ministers should become a permanent part of the consultative process, occurring every three years, and that the Chiefs of the Defence Forces of all five countries should meet triannually as well (Crowe 2001, p. 36). Six years later, the JCC and the ADC were replaced with the FPDA Consultative Council (FCC), the objectives of which were, in consultation with member governments, to consider ways to increase the efficiency of IADS, and to explore ways to expand the scope, level, and sophistication of FPDA exercises (Crowe 2001, p. 42; Ang 1998, p. 52). Several separate working committees were also established, including a steering committee and a policy working group (Ang 1998, p. 52). At the same time, the ESC became the FPDA Activities Coordinating Committee (FACC).

In 1997 the first FPDA Professional Forum was conducted in Singapore, with Singapore and Australia acting as co-hosts. This forum became the main format in which members of the arrangements came together to discuss new ideas, concepts and the way ahead, including the future shape of the operational element of the FPDA and the role of HQ IADS. It was also agreed that the Defence Chiefs would become more involved in guiding the professional development of the FPDA's exercise programme. Since 2001 meetings of the Defence Chiefs have corresponded with the annual International Institute for Strategic Studies' (IISS) Asia Security Conference in Singapore, also known as the Shangri-La Dialogue.

The Evolution of IADS

The most visible and durable element of the FPDA is the IADS: located in Butterworth, Malaysia, it is (and has always been) commanded by a Royal Australian Air Force Vice-Marshal. Currently, it comprises over 40 personnel drawn from all five nations and in recent years from all three services. The decision to place the IADS under the control of an Australian was taken in order to overcome the mutual suspicions of Malaysia and Singapore, which arguably prevail to this day. In 1987, the IADS Air Defence Operations Centre (ADOC) was commissioned by the then Malaysian Secretary General of the Ministry of Defence, Mohd. Yusof bin Abdul Rahman (Crowe 2001, p. 32). At the same time, a systems manager was appointed to run the computer systems, while

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the IADS Software Board was established to ensure software compatibility between the ADOC and the Malaysian and Singaporean Air Forces (Crowe 2001, p. 33). Following the 1994 Defence Ministers' Meeting the IADS ADOC was progressively upgraded, most recently with an improved command and control capability.[6]

The Exercise Programme

The FPDA has a significant exercise and training programme that brings together the forces of its members and that has developed and expanded over time. In keeping with the principle of not "imposing any strain or undue obligation on any party", the flexible nature of the FPDA means that each member decides for itself the degree of resources that it will contribute (Chin 1991, p. 195). Operational command of the exercises rotates between Malaysia and Singapore. The organization revolves between all five members.[7] The nature of the exercise programme has changed as the defence capabilities of Malaysia and Singapore have improved, and the geopolitics of the region has steadily evolved.

Following the second ADC meeting in Butterworth in January 1972 the concept for the first major exercise was agreed on. By the end of the year, the JCC had agreed to an exercise routine that evolved into two major air defence exercises (ADEXs) a year and two minor ADEXs involving the forces of all nations (Crowe 2001, p. 15). In recognition of the improved capabilities of the Malaysian and Singaporean Air Forces, the major ADEXs were extended from two to four days in 1978. In the 1980s, the leaders of the five countries agreed to initiate regular land and sea exercises as well (Khoo 2000, p. 110). The first land-based exercise, codenamed Operation Platypus, was held in Australia one year later, and is now known as Ex Suman Warrior.[8] Regular Naval exercises, codenamed Starfish (now known as Ex Bersama Lima), hosted by Malaysia and Singapore have also been held in the South China Sea since 1981 (Khoo 2000, p. 110). Still, in the first ten years of the FPDA, activity was limited: there were only a few exercises and only four meetings of the JCC (Ang 1998, p. 51). However, in 1980 the issue of regular exercises was brought up by the former Australian Prime Minister Malcolm Fraser (Ang 1998, p. 51), leading to a growing enthusiasm about the exercise programme among FPDA members. From 1991 onwards the land and sea exercises were held back-to-back with the air exercises, in a combined exercise called Stardex (Ang 1998, p. 53). More importantly, the planning process for each exercise was "joint" and "combined", involving planning staff from the services of all five countries (Crowe 2001, p. 41).

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In 1997, the evolution towards joint operations took a further leap forward when the air and sea components were combined into one major exercise, codenamed Flying Fish, which involved some 35 ships, 140 aircraft and 2 submarines (Ang 1998, p. 52). This corresponded with the deployment of the *Ocean Wave* Royal Navy Task Group to the Gulf and the Asia Pacific Region. This exercise was conducted again in 2000 and 2003.[9]

The Further Evolution of Exercise Programme

At their meeting in July 2000, in addition to reaffirming their commitment to the FPDA and its ongoing relevance to member countries and regional security, the FPDA's Defence Ministers also ratified and codified the trend towards more joint exercises between the air, naval and land forces, which had already been occurring by consensus among the five members. Furthermore, they agreed on the importance of taking further steps to improve the operational capability and interoperability of member nations' forces by ensuring the fuller integration of Army elements in the exercises. Specifically, the land exercises will be increasingly integrated into Ex Bersama Lima. IADS also changed its name to the Integrated Area Defence System (IADS) to reflect this (Crowe 2001, p. 51).

The need for more "jointery" was further developed at the 2001 meeting. In 2002, a Joint Integrated Area Defence Seminar was held, which led to the production of a "roadmap" of exercises stretching out to 2011 incorporating this concept.[10] Finally, following their 2003 meeting in Penang, the Defence Ministers agreed that the exercise scenarios should take into account asymmetric and non-conventional threats. This process was spurred partly by 9/11, and partly by growing and related concerns both within the region among the FPDA's external partners (especially Australia) and internationally at the possibility of terrorist action in the Malacca Strait — through which 50,000 ships, half of the world's seaborne oil shipments and a quarter of its maritime trade pass every year — as well as the threat posed by piracy in Southeast Asian waters.[11]

After their 2003 meeting a working group, chaired by Singapore, was established with the objective of achieving common ground on how to address the issue of asymmetric threats in the context of the FPDA.[12] The results of their efforts were reflected in the 7 June Ministers Statement in which the Defence Ministers' agreed that the FPDA should incorporate "non-conventional threat scenarios such as maritime security serials in scheduled FPDA exercises, and conduct additional exercises focused on maritime security, with the gradual inclusion of non-military

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agencies in such exercises". To this end, they also announced that: "regular intelligence exchanges on terrorism and other common security issues would be initiated".[13] The IADS was tasked with coming up with a roadmap to implement these initiatives, and on 10 September 2004, Ex Bersama Lima 04 kicked off and included an "anti-terror sea drill" for the first time.[14] A Maritime Interdiction Operation (MIOPS) serial was also held.[15]

The Strengths and Weaknesses of the FPDA

Although all five Defence Ministers celebrated the 30th anniversary of the FPDA in Butterworth, Malaysia, on 1 November 2001 where they unveiled a plaque for the new HQ IADS,[16] it is fair to say that life for the grouping has not all been plain sailing. The following review of the evidence, however, suggests the FPDA is surprisingly in better shape today than many would have predicted.

On the debit side, the grouping has suffered periodically from tensions in the political relationship between Malaysia and Singapore. Although the two countries' security may continue to be "indivisible" (Huxley 2003, p. 37), the political and military relationship between them has certainly become more complex and at times tense in the period since separation (Huxley 2003, p. 204). From time to time this has impacted on the FPDA. For example, after the Bersatu Padu exercise in Malaysia in 1971, Malaysia did not allow any Singaporean Army units to exercise on its territory until late 1989 (Huxley 1991, p. 207). In 1991, Malaysia also withdrew at the last minute from the maritime Stardex exercise (Khoo 2000, pp. 112–13). Kuala Lumpur said that it decision was a result of the impact of the 1997 economic and financial crises. However, observers in Singapore suspected that the decision was linked to a broader downturn in relations between the two neighbours that occurred around the same time (Khoo 2000, p. 113).

Furthermore, although former President Soeharto tolerated its formation, Jakarta has always been lukewarm about the FPDA, a factor that underpins its behind-the-scenes objections to occasional suggestions that FPDA membership could be expanded to include Brunei (Chin 1991, p. 200). In a cantankerous move, the former Indonesian Foreign Minister Mochtar Kusuma-Atmadja even suggested in 1990 that the FPDA be "disbanded" and replaced by a new three-power defence arrangement between Indonesia, Malaysia and Singapore (Chin 1991, p. 201). However, both Kuala Lumpur and Singapore remain cool to the idea of being subordinate to Indonesia under such a three-way arrangement, and remain wary of its potential regional major power pretensions.[17]

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As underscored by Malaysia's reaction to suggestions that the United States might be considering deploying its forces in the Malacca Strait, Kuala Lumpur is also leery of suggestions of any external forces becoming intimately involved in issues such as terrorism, which it sees as an "internal affair". For example, Australian Prime Minister John Howard's September comments about targeting failed states that were unable to police themselves[18] prompted the Malaysian Foreign Minister Syed Hamid Albar to warn him to be cautious to ensure that such statements did not touch on the "sovereignty and territorial integrity of certain countries".[19] Moreover, in the wake of the April 2004 spat over Admiral Fargo's comments the Malaysian Defence Minister, Najib Tun Razak, said that while closer FPDA cooperation was necessary to tackle non-conventional threats in the Strait of Malacca, "there will be no foreign presence in the Straits of Malacca or anywhere in Malaysian waters except during exercises.[20] More generally, Malaysia has also publicly made clear its opposition to the expansion of the FPDA.[21]

Singapore, on the other hand, has traditionally been more supportive of extra-regional initiatives to tackle regional threats, including most recently that posed by terrorism. Unlike Malaysia it supported the U.S.-led invasion of Iraq, which FPDA member Australia participated in as well. Singapore has also toyed publicly with the idea of "intermeshing" or at least creating a "military understanding" between the FPDA powers, other Southeast Asian States, Japan and the United States (Huxley 2003, p. 38).

Separately, the air defence, and more recently the maritime capabilities of Malaysia and Singapore have evolved quantitatively and qualitatively since 1971, to the extent that, although they might find it hard to defend themselves against major external threats without outside support, neither country is entirely reliant now on external powers for their defence and security.

Because the FPDA is a set of consultative arrangements the very nature of the policy-making process within the grouping is necessarily unwieldy and time consuming. The point has also been made that if one member were to opt out of the FPDA, it could undermine the indivisible defence of Malaysia and Singapore and the psychological deterrence provided by the grouping (Khoo 2000, p. 113). Given the absence of binding treaty obligations some analysts have also questioned whether Australia, New Zealand and the United Kingdom would in fact come to the assistance of Malaysia and Singapore, especially if the conflict was of no relevance to them (Khoo 2000, p. 112). Others have pointed out that this is unlikely, given the strategic importance of Malaysia and Singapore in the Strait of Malacca, and the general

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interest of the non-regional members in seeing regional security and stability preserved (Ang 1998, p. 54).

The interest of the FPDA's external partners has certainly waxed and waned. For example, despite reaffirming its commitments in 1970, British interest in Asia tailed off through the 1970s as the country's defence planners focused on the threat posed by the Soviet Union in continental Europe, while its politicians focused on the country's entry into the European Union in 1974. As a result, the Royal Airforce until 1988 did not participate in the Lima Bersatu air exercise for about 15 years (Chin 1991, p. 196). However, in recognition of the growing economic and strategic importance of Southeast Asia, the Strategic Defence Review (SDR) announced by the newly elected Labour Government in 1997 and presented to Parliament in July 1998 underscored the importance of British military participation in the FPDA.[22]

For its part, despite withdrawing its Mirage squadrons from Butterworth and Singapore in the 1980s, Australia has been a more consistent and active participant in the FPDA, which has provided it with a regional presence (Khoo 2000, p. 113), although in April 2003 ongoing operational commitments for the Australian Air Force and Navy meant that the country did not participate in the annual air defence exercise.[23] If Australia's involvement in Iraq continues, another no-show in 2005 cannot be ruled out. Looking ahead, the eventual obsolescence of the country's F/A-18s and F-111s and the procurement choice for replacing them will impact on the nature of the country's contribution to the FPDA (Crowe 2001, p. 57), at least until such a time as it deploys the Joint Strike Fighter. This has already happened in the case of New Zealand, where the removal of the A-4K Skyhawks from the inventory of the New Zealand Air Force has impeded its ability to contribute actively to this aspect of the FPDA's exercises.[24]

On the credit side, Malaysia and Singaporean retain lingering concerns about a revival of a more assertive Indonesia, and therefore still value the deterrent value of the FPDA. These concerns have grown since the downfall of President Soeharto in 1998. The FPDA has been successful in promoting transparency, trust and a shared sense of strategic purpose among its members through the robust framework of political–military discussions and its comprehensive exercise programme. Largely because of its flexible and consultative nature, the FPDA has also proved remarkably capable at adapting to the changing security environment in the region, thereby retaining its relevance: the lifetime of the FPDA encompasses the Vietnam War, the end of the Cold War, the increasing peace and prosperity of

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Southeast Asia, the rise of China as a major political, economic and military power,[25] the emergence of overlapping territorial claims in the South China Sea, and the corresponding shift away from land based to maritime security concerns. Additionally, it been argued that the flexible nature of the FPDA means that it is an "unobtrusive" alliance, thus making it more palatable to Malaysia, and less threatening to the region (Chin 1991, p. 195).

Operationally, the move towards joint exercises, combined with the recent upgrading of the IADS command and control system, which will allow the militaries of the five countries to talk to each other more easily and provide a comprehensive picture of the multilateral operations being conducted in the battle space,[26] means that military assets from FPDA countries operating in the region can now come together and operate under national command. In this sense, it can be argued that the FPDA has slowly begun to develop an identity and institutional character of its own.

Insofar as Malaysia and Singapore are concerned the FPDA obviously played a role in the early years and as intended in their air defence, and in potentially deterring both practically and psychologically an unidentified enemy (Khoo 2000, p. 111 and Ang 1998, p. 54) — code for Indonesia. Just as importantly perhaps, the militaries of Malaysia and Singapore have gained a great deal from the extensive and varied exercise and training programme that the FPDA provides (Ang 1998, p. 55). They have also gained access to military equipment not yet in their inventories and, more significantly perhaps, to up-to-date operating doctrine.

Furthermore, the FPDA has acted as something of a confidence building measure between Malaysia and Singapore, allowing communication between the armed forces of the two countries, especially in the years after separation in 1965 (Huxley 1991, p. 227; Huxley 2003, p. 37). In 1990, for example, while several bilateral exercises between the two countries were cancelled due to tensions as noted earlier, the FPDA exercises were not put off (Ang 1998, p. 57). Meanwhile, in 1997, although Malaysia's decision to pull out meant that the annual Stardex exercise did not go ahead, working contacts continued.[27] Similarly, the FPDA has managed to weather serious ups and downs in relations between Australia and Malaysia that prevail to this day, and between Malaysia and the United Kingdom through the 1990s.

Additionally, the FPDA has provided a ready-made opportunity for the grouping's external members to demonstrate the continued commitment to regional peace and security. In the case of the largest military power, the UK, the FPDA provides a vehicle for the country to showcase its ability to operate worldwide in support of British interests

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and to further its defence diplomacy missions across the region. Since 2000, the UK contribution has included a Royal Navy Task Group, Type-42 Destroyers, Nimrod Maritime Patrol Aircraft, Tornado Fighters and Rapier ground-based air defence missile systems. In addition to this, the UK hosts a biannual two-week visit by IADS staff to its Ministry of Defence;[28] Australia and New Zealand host similar tours on alternate years.[29] Although it is not often pointed out, regular deployments to the region also allow British defence companies to showcase their ware to potential buyers.

Although Australia redeployed its two squadrons of RAAF Mirages from Butterworth in the 1980s, leaving only a P-3C detachment and a rifle company, the country continues to make regular force contributions to FPDA exercises. Moreover, "membership [of the grouping] serves enduring Australian interests in the security of maritime South East Asia and complements its bilateral relationships in the region".[30] Similarly, although most of the New Zealand Forces in Southeast Asia left Singapore in 1990 (apart from a small support unit) its military continues to participate annually in FPDA exercises, and remains committed to doing so in the future.

Competing or Overlapping Regional Security Structures?

Over the years, a number of bilateral security relationships and other security structures, or structures that could be considered to have a security related component, have grown up in the Asia-Pacific region. The most important of these groupings is ASEAN, which was formed in 1967 and whose original membership comprised: Indonesia, Malaysia, the Philippines, Singapore, and Thailand. ASEAN's formation is grounded in the doctrine of non-interference in other countries' internal affairs and is underpinned by the belief that increased regional prosperity and intra-regional trade would enhance the security and stability of the region. Yet from the beginning, the organization also had a (albeit unarticulated) "security component": to oppose the alleged threat to the region emanating from Communist Vietnam. Since its inception, ASEAN has also forged a number of major political accords that its members argue have contributed greatly to regional peace and stability. The Zone of Peace, Freedom and Neutrality (ZOPFAN), which was adopted on 27 November 1971 just short of three months after the FPDA, commits all ASEAN members to "exert efforts to secure the recognition of and respect for Southeast Asia as a Zone of Peace, Freedom and Neutrality, free from any manner of interference by outside powers", and to "make concerted efforts to broaden the areas of cooperation, which would contribute to their strength, solidarity and closer relationship".[31] The 1976 Treaty of Amity and

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Cooperation in Southeast Asia, meanwhile, enshrines the principles of mutual respect for one another's sovereignty; non-interference in internal affairs; the peaceful settlement of intra-regional disputes; and effective cooperation. It also provides for a code of conduct for the peaceful settlement of disputes.

At the ASEAN Summit in Bangkok on 15 December 1995, the leaders of all the ten Southeast ASEAN countries signed the Treaty on the Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ). In another major development, Vietnam was also admitted as a member that year. In 1997 Laos and Myanmar became members, with Cambodia joining shortly after. The expansion of the organization to comprise all ten nations of Southeast Asia (Brunei became a member in 1992) was seen by its advocates as a major step towards enhancing peace and stability in the region. Three years later, ASEAN's members agreed to a Thai proposal to, when necessary, establish an ASEAN Troika to be constituted as an ad hoc body at the ministerial level to "address more effectively and co-operate more closely on issues affecting regional peace and security". Events in Cambodia (the 1997 coup), Indonesia (the fall of the Soeharto government), Malaysia (the arrest of former Deputy Prime Minister Anwar Ibrahim) and East Timor (when ASEAN failed to take the lead in configuring a regional response after it had been announced that a referendum on independence from Indonesia would be held) led some in the grouping to question (ultimately unsuccessfully) the viability of the notion of non-interference in each others' affairs in maintaining regional stability and security.

In the wake of the 11 September 2001 attacks, ASEAN leaders responded by adopting the 2001 ASEAN Declaration on Joint Action to Counter Terrorism, at their 7th Summit on 5 November 2001 in Brunei Darussalam. More recently, and against this backdrop, at the 36th ASEAN Ministerial Meeting in Jakarta, Indonesia presented its idea for an ASEAN Security Community (ASC).[32]

The major grouping in the region focused specifically on security issues is the ARF. The ARF was established in 1994, partially as a result of the end of the Cold War in 1989 and the shifting balance of power in the region, and partially as a result of a growing regional willingness to tackle security-related issues.[33] The ARF's stated ambition is "to foster constructive dialogue and consultation on political and security issues of common interest and concern", and, "to contribute to efforts towards confidence building and preventive-diplomacy in the Asia-Pacific region".[34] A number of issues, including the situation on the Korean Peninsula and the prevailing situation in the South China Sea, where a number of countries claim sovereignty over some or all of the Spratly

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Islands chain,[35] have been discussed in the ARF. However, as with ASEAN, the success of the ARF's approach to addressing regional security issues has been called into question by those who see it as little more than a talking shop, better suited to producing erudite communiqués than taking concrete action.

Another interesting development has been the initiation of the annual International Institute for Strategic Studies (IISS) Shangri-La Dialogue (SLD) meeting in Singapore.[36] Unlike the ARF, which is dominated and jealously guarded by Foreign Ministers, the SLD's main strength is that it brings together Defence Ministers, senior officials and other interested parties and individuals from across the region, to discuss defence and regional cooperation. At this stage, the SLD is not underpinned by a formal treaty or agreement like ASEAN, the ARF or the FPDA. Thus, its main value appears to be as an additional confidence-building measure (CBM), although China's decision not to attend in 2004 may have undermined this somewhat. In the same context, the SLD has also proved useful for many participants as a platform for enhancing bilateral security-related contacts.

Separately, the web of bilateral military exchanges among the countries of the region continues to expand. For example, although it was less well reported, in the wake of Admiral Fargo's comments Indonesia, Malaysia, and Singapore agreed to commence coordinated (as opposed to joint) patrols in the Straits.[37] Thailand and the Philippines have expressed an interest in taking part as well.

An even higher and more significant degree of bilateral cooperation exists between the countries of the region and the United States. In Southeast Asia, the United States has long-standing treaty alliances with the Philippines and Thailand. The United States also has extremely close military and security ties with Singapore, which in the wake of the U.S. withdrawal from the Subic Bay naval base in 1992 has not only constructed a major Naval base at Changi capable of receiving U.S. aircraft carriers thus expediting Washington's "places not bases strategy for the region,[38] but more recently has become a major ally in the war on terror. In practical terms, the United States participated in more than 1,500 military exercises across Asia in 2002. The most significant of these in Southeast Asia is the annual Exercise Cobra Gold, which is staged in Thailand. Last held on 13 to 27 May 2004, it brought together 18,500 troops from the Philippines, Mongolia, Thailand, Singapore and the United States; Australia, France, India, Japan, the Republic of Korea, Pakistan, Sri Lanka, China and Vietnam sent observers.[39] Other major exercises include: Balikatan (U.S./Philippines); Cope Tiger (U.S./Singapore/Thailand); and Team Challenge (U.S./Philippines/Singapore/

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Thailand). Finally, the U.S. security position in Southeast Asia is underpinned by its role as the major supplier of military platforms and systems to countries of the region (Bitzinger 2003, p. 3).

In the face of these developments it is possible to argue that the FPDA is a hangover from a bygone era, which is being overtaken by other regional structures, and is diminished in importance by the strength of U.S. commitments. Another way of looking at it is that the FPDA overlaps with existing bilateral alliances, exercise programmes and other security structures, rather than competes with them, and helps to strengthen regional security as a result. This point was acknowledged in 1992 by the then Singapore Defence Minister, who remarked that the FPDA remained an "important element" in "the network of regional security arrangements" (Huxley 2003, p. 39).

Crucially, while the FPDA is not built around a notion of "collective defence" that defines an attack on one member as an attack on all thereby triggering a collective response as in the case of NATO, its consultative nature on defence issues is unique in the context of the Asia Pacific. This robust consultative architecture is complemented by a standing, multilateral military component (IADS) and a comprehensive exercise programme aimed at addressing and in the process hopefully helping to ameliorate challenges to the defence and security of its members. Together, these factors differentiate the FPDA from ASEAN and ARF, neither of which have a hard-security component. And both of which have been unsuccessful in the eyes of some at addressing regional security problems precisely because they are for all intents and purposes "talking shops". Moreover, although its composition remains the same, the FPDA has arguably evolved from its colonial/postcolonial underpinnings, and has begun to develop an identity and institutional character of its own.

Conclusion

The years ahead are certain to see a broadening in the scope if not the scale of the FPDA's exercise programme. However, although it has propelled the issue into the headlines, any assumed link between the 7 June 2004 FPDA Ministers' Statement and Malaysian opposition to U.S. suggestions that it be allowed conduct patrols in the Malacca Strait to counter piracy and possible terrorist attacks is incidental. Rather, and as this paper attempts to demonstrate, the need to address such threats has been under discussion in the FCC long before this particular controversy hit the headlines. The inclusion of asymmetric threats in the exercise programme is further driven by a desire within the Defence

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Ministries of all five countries to ensure that FPDA training, which is expensive especially for Australia, New Zealand and the UK who have to finance the cost of deploying forces over long distances, not only reflects the reality of modern military operations, but also gives value for money.[40]

Of course, none of this is to argue that the move into new areas will bring an end to the challenges confronting the FPDA. Budgeting priorities will continue to be a factor. The FPDA will also have to overcome the technical and operational problems associated with integrating the armed forces of FPDA's five members who have varying military capabilities, and with bringing the Army exercises into the joint exercise programme. Existing commitments in Iraq and elsewhere, especially if they continue at present levels, are also likely to have an impact on Australian and possibly the UK deployments.

Rivalry between Malaysia and Singapore will continue to bubble to the surface periodically and will need to be managed if the FPDA is to remain cohesive and viable for another 30 years. Differences of opinion between the FPDA's regional and external members on exactly how to address asymmetric threats, and potentially over how to approach the management of regional and global security more generally, may also become more problematic over time, with potentially detrimental consequences for the grouping. If Defence Minister Najib's 8 June 2004 comments are any guide, Malaysia especially may find it difficult to balance off the future evolution of the FPDA with its traditional opposition to anything that appears to impinge on its national sovereignty. Relations with Kuala Lumpur will therefore have to be managed carefully. At the very least, tensions arising from the above may lead to delays in the evolution of the exercise programme, to the frustration of some members. Depending on how they evolve, ASEAN and the ARF may also chip away at the FPDA's utility, although for the foreseeable future they should be seen as a complement to it, rather than a threat, and vice-versa.

All this notwithstanding, and while the evidence gathered in this paper suggests that the contribution of the FPDA to regional security should not be overestimated, the chances are that for the foreseeable future it will continue to overcome the challenges outlined, retain its relevance, and continue to make a contribution to regional security, albeit one that is somewhat different than 30 years ago. Crucially, while the FPDA is unlikely to evolve into Southeast Asia's NATO in the foreseeable future, the broadening in the scope of its training and exercise programme is certain to improve the ability of Malaysia and Singapore to address asymmetric and non-conventional security challenges as well as

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more conventional threats, to the benefit not only of FPDA members but also of the United States and the myriad other countries whose ships ply the Malacca Strait and the South China Sea on a daily basis.

NOTES

1 Singapore Ministry of Defence News Release, 7 June 2004, http://www.mindef.gov.sg/display.asp?number=2121/.
2 Testimony by Admiral Thomas B. Fargo, U.S. Navy U.S. Pacific Commander Regarding the U.S. Pacific Command Posture, 31 March 2004, http://www.armedservices, house.giv/openingstatementandpressrelease/108thCongress/04-03-31fargo.html, "U.S. Plans to Deploy Marines in South East Asian Waterways", Agence France-Presse (AFP), 5 April 2004; Mark Baker, "Malaysia Rebuffs U.S. Sea Force Plan", *The Age* (Melbourne), 6 April 2004; "U.S. Refutes Report on Straits Deployment", Bernama, 5 April 2004; "Malaysia Accepts U.S. Aid but not Patrols in the Strait", Reuters, 21 June 2004.
3 For reasons that will be discussed in greater detail later in this article, the FPDA also provided a framework within which Malaysia and Singapore were able to address their post-Separation mutual suspicions.
4 Paragraph 5, Communiqué issued at the conclusion of the Five Power Ministerial Meeting on the External Defence of Malaysia and Singapore, London, 15–16 April 1971.
5 Control of the British Far East Command was terminated and control handed over to IADS on 1 September.
6 E-mail communication with Senior FPDA Official, 14 July 2004.
7 E-mail communication with Senior FPDA Official, 14 July 2004.
8 N. Suresh, "1971 — The Beginning of the Five Power Defence Arrangements", http://www.mindef.gov.sg/history/index.asp?cat=histdisp&id=40.
9 Royal Navy Website — Operations (Far East), www.royal-navy.mod.uk/static/page/161.html.
10 E-mail communication with Senior FPDA Official, 14 July 2004.
11 *Economist* 371, no. 24, 12 June 2004, p. 37.
12 E-mail communication with a Senior FPDA Official, 14 July 2004.
13 Singapore Ministry of National Defence (Mindef) News Release, 7 June 2004, http://www.mindef.gov.sg/display.asp?number=2121.
14 "FPDA Exercises Will Feature First Anti-Terror Sea Drill", AFP, 10 September 2004.
15 Mindef (Singapore) News Release, 14 September 2004, http://www.mindef.gov.sg/display.asp?number=2219.
16 Felix Siew, "FPDA Turns 30", Mindef *CyberPioneer*, 1 November 2002, http://www.mindef.gov.sg/cyberpioneer/backissuesnovnews.html.
17 E-mail communication with Dr Tim Huxley, IISS, 26 October 2004.
18 "Australia's Plans to Fight Terror in Asia Causes a Stir", *Asian Defence Review*, October 2004, p. 1.
19 *Asian Defence Review*, October 2001 p. 1.
20 "FPDA Understands our Position on Foreign Forces in Straits", *The Star* (Malaysia), 8 June 2004.
21 "Singapore and Malaysia Step Up Security in the Malacca Straits", *Radio Singapore International*, 7 June 2004.
22 Para 58 of the SDR on Wider British Interests states that: "we see no diminution in

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the value of activities which our forces undertake in support of British interests [...] overseas. They will continue to have a practical role in demonstrating our commitment to our [...] friendships worldwide, for example through our contribution to the Five Power Defence Arrangements [...], http://www.mod.uk.issues/sdr/missions.htm.

23 E-mail communication with a senior FPDA Official, 7 August 2004.

24 "Review of Options for an Air Combat Capability", February 2001, http://www.defence.gov.nz/public-docs/aircombat/1-summary.html.

25 Although it is not openly stated by any of the FPDA's members, the impact of China's rise is widely accepted to have impacted on approaches to defence and security issues among the countries of the region.

26 "Commissioning of New FPDA Command and Control System", *Asian Defence Review*, September 2004, p. 55 and communication with a senior FPDA Official, 10 August 2004.

27 E-mail communication with a senior FPDA official, 7 July 2004.

28 "The UK-Malaysia Defence Relations, the Five Power Defence Arrangements", website of the British High Commission in Malaysia, http://www.britishhigh commission.gov.uk.

29 E-mail communication with a senior FPDA Official, 10 August 2004.

30 Defence Section, Australian High Commission Kuala Lumpur, FPDA, http://www.australia.org.my.

31 All ASEAN communiqués and documentation on ASEAN and the ARF hitherto referred to in this paper can be found at the Politics and Security Section of the ASEAN website, http://www.aseansec.org/92.htm.

32 "ASEAN Makes Good Progress towards Security Community Proposals", AFP, 4 May 2004.

33 Original ARF participants were the ASEAN members, the other Southeast Asian states that were not yet ASEAN members, ASEAN's then seven dialogue partners, Papua New Guinea, an ASEAN observer, and China and Russia. India became a dialogue partner in 1996. Mongolia and the Democratic People's Republic of Korea (DPRK) were admitted in 1999 and 2000 respectively.

34 ARF Overview, http://www.aseansec.org/92.htm.

35 China, Taiwan and Vietnam claim all the islands, while Brunei, Malaysia, and the Philippines claim some of them.

36 See http://www.iiss.org/shangri-la.php.

37 "Singapore, Malaysia, Indonesia Start Co-ordinated Malacca Straits Patrols, *Channel News Asia*, 20 July 2004, http://www.channelnewsasia.com/stories/southeastasia/view/96556/1/.html.

38 Trish Saywell, "Places not Bases Puts Singapore on the Line", *Far Eastern Economic Review* 164, no. 1917, May 2001, p. 21.

39 Cobra Gold 2004, http://www.usa.or.th/relation/mil-cg0400htm.

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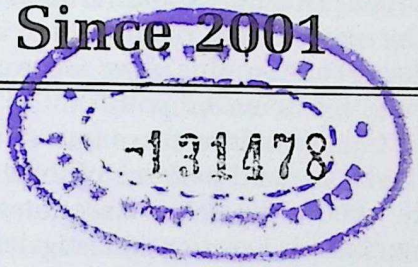
Contemporary Southeast Asia 27, no. 1 (2005): 21–43 ISSN 0219-797X

Unrest in South Thailand: Contours, Causes, and Consequences Since 2001

AUREL CROISSANT



In the past three years, southern Thailand has seen a rise of ethnic-based violence in its southernmost provinces. The principle objective of this article is to examine contours, causes and consequences of this recent development. The main argument is that although several contentious religious, cultural, economic and political issues lie at the root of ethnic violence, the drift toward militancy in the past three years must be explained by other factors. Historical concerns, religious differences, and social and economic marginalization cause local grievances and a latent crisis in inter-ethnic relations in south Thailand. Nonetheless recent Islamization of Muslim minority identity, policy failures of the sitting government and low quality conflict management account more for the increased violence in recent years. These factors created changes in the "enabling environment" that are allowing insurgency in south Thailand to grow. While the overall assessment for conflict resolution in the short term is negative, the political fallout of the unrest may strike the already faltering democratic consolidation a heavy blow.

Introduction

Historically speaking, the Kingdom of Thailand is no stranger to armed conflict with insurgent groups. Between the 1960s and the 1980s, the government fought an armed communist insurgency. Muslim separatists were active in the southern region of the country from the 1940s until the late 1980s. By the end of the 1990s, however, it seemed that

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Thailand had solved its insurgency problem. The communist movement was dissolved and terrorism and political violence in the southern provinces has waned.

In the past three years, however, southern Thailand has seen a recrudescence of long-dormant Malay-Muslim anger against the central government. The internal security situation in the country's southernmost provinces has rapidly worsened and there are fears that the country will become another hot spot for Islamist terrorism in Southeast Asia. This raises some critical questions: What is the conflict about? Why is violence rising? Who is behind the violence? How can Thailand counter this new wave of insurgency? What are the consequences for domestic politics?

This article examines these questions. The first section describes the historical roots and patterns of the conflict in Thailand's south up to the late 1990s; the second section outlines the current wave of insurgency; the third section investigates causes for the latest outburst of violence; the section that follows discusses options for viable conflict solutions and the possible consequences for democracy in Thailand. The final section gives some tentative conclusions.

Historical Roots

According to the National Statistical Office (NSO) of Thailand, Muslims accounted for 4.1 per cent of the kingdom's total population in the mid-1990s (NSO 1997, p. 101). Notwithstanding its relatively small size, the relationship between the Buddhist majority as well as the government in Bangkok and the Malay-Muslim minority in the southern region is of crucial importance for political stability and security in Thailand and the whole of Southeast Asia. Though Muslim communities exist all over the country, by far the greatest number of Muslims living in Thailand is of Malay ethnic origin and live in the South. They share a common identity and form a locally concentrated minority in the Patani Raya region,[1] which had been an independent kingdom until 1786 when it was conquered by the King of Siam.[2]

The efforts of the Siamese government to subjugate the Muslim areas began immediately after their incorporation into the kingdom and became more hostile after the Anglo-Siamese treaties of 1904 and 1909, which recognized Siamese control over Pattani (cf. Forbes 1982). With King Chulalongkorn's administrative reforms in the 1890s, the kingdom developed a centralized bureaucracy and established control over most of its territory. The central government in Bangkok was strong enough not to have to make autonomy deals with the local

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southern Muslim rulers. Rather, the government eliminated local elites as politically relevant players, since governors and bureaucrats were sent from Bangkok to Pattani, which was divided into seven provinces (Islam 1998).

Beginning in the late nineteenth century, the royal government developed a policy of nation-building from above, which forced the transformation of the multiethnic society of Siam into a unified Thai nation. In the south, Bangkok managed dissidence mostly by leaving the Muslims alone. This laissez faire policy changed when the government accelerated efforts to assimilate the southern population (Che Man 1990). When the ultranationalist regime of Phibun came to power in 1938, it followed a policy of enforced assimilation of the various minority cultures into the mainstream Buddhist "Thai-ness" (Rahimmula 2003) in order to develop, in David Brown's version, "the mono-ethnic character of the state" (Brown 1994).

In the 1940s, this provoked the emergence of a separatist movement fighting for an independent Pattani. The Gabungan Melayu Patani Raya (Union of Malay for a Great Patani) was founded in 1948. Following the establishment of the Barisan National Pembebasan Patani (BNPP) in 1963, violent clashes between insurgents and security forces were common in the southernmost provinces (Rahimmula 2003, p. 269). In the mid-1970s, more than 20 separatist organizations agitated on both sides of the Thai-Malaysian border.

In the 1980s and 1990s, however, the situation changed. The new government under General Prem (1980–88) supported Muslim cultural rights and religious freedoms, offered the guerillas a general amnesty, and implemented an economic development plan for the south (Tan 2003, p. 109; Jones and Smith 2003, p. 150). In the 1990s, the democratic government formulated a "National Security Policy for the Southern Border Provinces" based on a "development as security" approach (Rahimmula 2003, p. 275). Deepened cooperation between the Thai and Malaysian authorities and improved security along the border contributed to the decline of the insurgency as well (Abuza 2003, p. 80). Most observers thus described the insurgency as "waning" and "relatively quiet" by the late 1990s (Rabasa 2003, p. 55; Tan 2003, p. 109).

The Recent Drift towards Militancy

Even though Thailand's south contains fourteen provinces, the great majority of Thailand's Muslims live in the four southernmost provinces of Satun, Pattani, Yala, and Narathiwat. A recent household survey

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conducted by the Thai government found that over 76 per cent of the population in these four provinces adhered to the Islamic faith.[3]

The current wave of political violence in Thailand is not a general phenomenon of the south. So far, it has been limited mostly to Narathiwat, Yala, and Pattani, while other southern provinces have been relatively unaffected by the insurgency. According to recent government statistics and research reports, the latest outburst of violence started in 2001. A total of 1,975 violent incidents were recorded between 1993 and the end of November 2004. Of these, 21 per cent occurred before 2001, and the other 79 per cent of violent incidents took place from 2001 onwards. Between January and 10 November 2004, at least 573 people had been killed and another 524 people had been injured, including civilians, police, soldiers, and other government officials (Prince of Songkhla University 2004).

Recent killings in Songkhla raise fears that violence could spill over into neighbouring areas, notably the southern business hub Hat Yai. Separately, some 20,000 members of the notorious right-wing Village Scouts organization rallied in November 2004 to prove their determination to drive the "separatist enemies" in the south out of the country. Human rights groups and civil society activists fear that such ultranationalist sentiments may backlash against those whom they view as a threat to monarchy, Buddhism, and the nation.[4]

Even though the government enforced martial law in Narathiwat, Yala, and Pattani, giving troops the right to make arrests without a court warrant, and more than 12,000 Royal Thai Army troops are now deployed in the region, public order and infrastructure are eroding. The education system, for instance, came under serious stress after more than 1,200 teachers and education officials sought transfers out of the region; almost 1,000 schools in the three southernmost provinces had to be temporarily closed because parents were afraid to send their children to school. Separately, several provincial court judges have submitted requests for transfers out of the region following the killing of judges by Muslim separatists in 2004.[5]

Given contrary reports by intelligence and internal security forces in the south, it is difficult to determine the characteristics of the groups behind the violence. No known rebel group has taken responsibility for the violence. However, several factions remain core actors in the insurgency (see Table 1). These groups include Barisan Revolusi Nasional (BRN), Gerakan Mujahideen Islam Pattani (GMIP) and the Pattani United Liberation Organization (PULO). Though any account of these groups has to be viewed with scepticism, some truisms can be stated. The original PULO does not have much military power on the ground; Barisan Nasional Pembebasan Pattani/Barisan Islam Pembebasan Pattani (BNPP/BIPP) is largely defunct and Bersatu — an umbrella organization

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attempting loose political coordination among separatist groups — is believed to have no direct military operations in Thailand. Of the three remaining factions, New PULO is believed to be the smallest. GMIP may have a wider area of operations but the largest of the three main factions is BRN.[6] The following overview gives a rough idea about the main insurgent factions that in some way are thought to be relevant in the recent unrest.

The role ordinary criminals and religious authorities currently play is also unclear. Insurgent groups operate in a grey zone of crime

TABLE 1
Main insurgent factions

Organization	*Formed*	*Characteristics*
BRN (Barisan Revolusi Nasional)	1960	Base of support mainly in the *ponohs*, today three separate wings: BRN Congress, the main military wing; BRN Coordinative Group, focusing on political agitation and urban sabotage; BRN Ulema, which coordinates a following among the Islamic clergy; largest and best organized faction
GMIP (Gerakan Mujahideen Islam Pattani	1995	Formed by Afghan veterans as an offshoot of the older Gerakan Mujahideen Pattani; urban group; close relations to KMM (Kumpulan Mujahidin Malaysia), its Malaysian counterpart
PULO (Pattani United Liberation Organisation)	1968	Active in guerilla operations until the early 1990s; secularist organization with presumably no military capability on the ground
New PULO	1995	Split as a dissenting faction from PULO in 1995, but formed a tactical alliance with PULO two years later.
BNPP/BIPP (Barisan Nasional Pembebasan Pattani – Pattani National Liberation Front/Barisan Islam Pembebasan Pattani – Pattani Islam Liberation Front)	1963	Drew support from both traditional aristocrats as well as from religious elites; its objective was neither mere autonomy nor integration of Patani with Malaysia but complete independence and the establishment of an Islamic State, dar-al-Islam
Bersatu (Barisan Kemerdekaan Pattani – United Front for the Independence of Pattani)	1991	Loose political coordination, umbrella organization

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and delinquent sub-culture on the one hand, and ethnic or religious consciousness on the other. Thailand for many decades has been on the key route for Golden Triangle drug trafficking to international markets. Furthermore, Thailand is a hot spot for the small arms trade, with the military itself involved in the black market for arms.[7] Given the ubiquity of organized and petty crime, small-arms trade, smuggling, and drug trafficking in the south, it would be naïve to assume criminals and terrorists can be clearly distinguished.

A more plausible assumption is that there is a broad grey zone of greed and grievance in which there is no clear threshold between "entrepreneurs of violence" and "warriors of convenience". Furthermore there are no *jao pho* (local godfathers) in the deep south.[8] Pasuk and Sungsidh (1996, p. 87) suggest that the existence of well established local elites in many southern towns impeded the rise of new *jao pho*, while strong communist guerilla activities in the 1960s and 1970s "may have acted as a counterweight to the growth of new local potentates". If this view is correct, crime in the south lacks the kind of informal controls and restraints that are exercised by individual godfathers in other provinces, thus facilitating recruitment from criminal gangs for insurgent groups and simultaneously deepening the intelligence services' problem of discovering the specific links between crime and insurgency. Additionally some observers link religious schools (*ponohs*) to the Muslim insurgency in the south. Young Islamic teachers from Islamic boarding schools reportedly serve as recruiting officers and field commanders for insurgency groups, particularly the BRN.[9]

Another key unknown is the involvement of external groups. Some observers point to outside sources that provide training, funds, motivation and instigation to the Muslim insurgents in Thailand (Manyin 2004, pp. 22–3). Thus far there is no clear evidence of any direct involvement of either Jemaah Islamiyah (JI) or Al-Qaeda in the insurgency. Furthermore the fact that violence is so far limited to the southernmost provinces suggests the lack of any such connection. Targets typically preferred by JI and other Al-Qaeda affiliated groups, such as Western-oriented soft targets (tourism centres, western consulates, etc.), have not been attacked. Instead the insurgents have established a broad range of low intensity, low-risk tactics that are difficult for the security forces to counter.

Causes for the Recent Outburst of Violence

Ethno-religious violence in Thailand — as in most multiethnic societies — has multiple causes (Horowitz 1985; Riggs 2002; Fearon and Laitin 2003). "Structural" factors including historical concerns, religious

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differences and social and economic marginalization resulted in local grievances and a latent crisis in interethnic relations. The drift toward militancy, however, is caused by recent changes in the "enabling environment" (Ramakrishna 2005) of insurgency in southern Thailand. The term "enabling environment" describes the structural and situational environment in which violent actors have to act. Historical, social, economic, cultural, and more recent political factors form an opportunity structure for insurgent groups which consists of a set of factors either obstructive or conducive for the staging of violence. Changes in the enabling environment affect the opportunities for successful insurgency. The argument developed below explains that there was already latent potential for insurgency in southern Thailand, but several changes in the enabling environment provided new opportunities and raised the incentives for insurgency in recent years. This argument is based on the view that insurgents in southern Thailand, as in general, are rational actors. Insurgents and terrorists, so the basic proposition of this argument goes, are rational actors motivated by the maximization of some combination of expected wealth, power, fame and patronage, much in the way of other members of society, but they differ from other rational actors in their strong risk preference (Rathbone and Rowley 2002, p. 4). Terrorist and insurgency leaders likewise respond rationally to expected costs and benefits and changes in the opportunity structure of individual action.

Absolute and Relative Economic Deprivation

To some extent the political articulation of ethnic consciousness in Pattani can be explained as a response to the economic, cultural, and political subordination of the Muslim communities resulting from "internal colonialism" (Hechtor 1975). According to this view, Thailand is the paradigmatic case of internal colonialism in which the deepening economic disparities between the prime centre (Bangkok) and the rural hinterland have resulted in the economic underdevelopment of the south (Brown 1994, pp. 158–205). Even though Thailand had an impressive record of economic growth between 1960 and 1997, the existing regional imbalances deepened during this period (Falkus 1999, p. 123). The available data illustrates a high level of absolute and relative deprivation among the local population in the south, especially the deep south. While the northeast is the poorest region (Pasuk 1992), measured against core indicators of economic development, Satun, Pattani, Yala, and Narathiwat are among the least developed provinces of the country.

Furthermore the shift of government policies towards the promotion of development in the peripheral region failed to reduce regional

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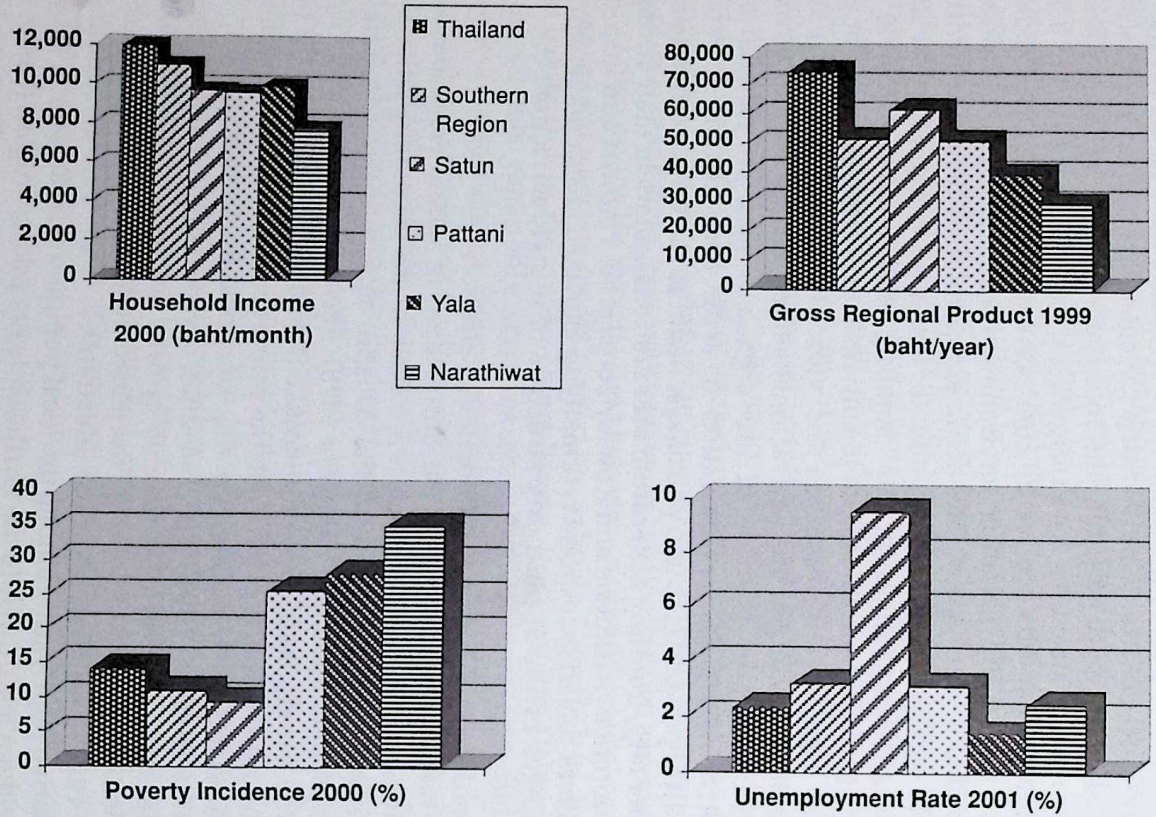
FIGURE 1
Regional Economic Indicators



SOURCE: UNDP 2003.

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economic disparities between the south and the centre. In the early 1960s, the mean household income in the south was one-fifth higher than the average national household income and the regional GDP per capita was one-quarter above the national average. Four decades later, the south has significantly fallen behind. Although income levels increased in absolute terms, the income gap between the south and the rest of the country has widened. In 1962 household income by region in the south was 120.7 per cent of the average household income for the whole country and 91.8 in 2000. Simultaneously, gross regional product decreased from 126.2 per cent of the national average in 1960 to 68.7 per cent in 1999.[10]

Political Subordination and Social Discrimination

Economic deprivation is amplified by perceived political and cultural subordination. On the one hand, the constitution accords Muslims equal rights and opportunities. Muslims enjoy freedom of belief, symbolized by a network of religious institutions and organizations including more than five thousand mosques and several thousand religious schools. There is an active Malay-Muslim civil society movement which promotes the collective interests of the Muslims in Thailand. On the other hand, several indicators point to the failure to integrate the Muslims in the south. Although the government was in theory keen to increase the number of Muslims in the bureaucracy, in practice numerous obstacles ranging from educational attainment to demands for social conformity have limited such recruitment, especially to the higher grades of the civil service (McCargo 2004).

While the vast majority of the population are Thai-speaking Buddhists, the southern Muslims are ethnically Malay and speak their own dialect (*yawi*), which few non-Muslims can speak or understand. Social capital and civil society are significantly weaker in southern Thailand than in the rest of the country. The south also has a reputation as a troubled region characterized by a high crime rate, lawlessness, endemic corruption within the bureaucracy, smuggling, small-arms trade and other forms of illegitimate business (Ruohomaki 1999, p. 98).

The most politically salient manifestation of the economic, cultural and political subordination of the south has been the intensification of the ethnic consciousness of the Malay-Muslims and its emergence in confrontations with the state in the 1940s, the 1960s and 1970s and, again, since 2001. Economic backwardness, the cultural hegemony of Thai Buddhism, and widespread feelings of deliberate neglect of the south by Bangkok thus created the potential for political instability and ethnic violence.

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The question remains, however, why insurgents in the past couple of years have been able to mobilize this latent dissatisfaction and turn it into active resistance. Ethnic differences and relative socioeconomic deprivation per se are not sufficient to explain political violence. There is no automatic link between relative deprivation shared by an ethnic minority and the emergence of violent antagonism between minority and majority. Accordingly, it is not (relative) deprivation per se that leads to political violence, but transformations in the political and socioeconomic enabling environment that alter the costs and benefits of rebellion. In the past couple of years three different developments have resulted in such a change: the growth of Islamism, shifts in government policies, and poor conflict management.

The Growth of Islamism

The conventional wisdom holds that "Islam in Southeast Asia has always been defined by tolerance, moderation, and pluralism" (Abuza 2003, p. 1). As almost everywhere in the Muslim world, the past two decades have seen a stronger emphasis of Islamic identity among Thai Muslims. Thailand's ethnic Malay Muslims traditionally practice a moderate and syncretic variant of Islam, Sufism — Sunni Islam with a mystical moderate edge. Over the past few decades, however, purist Salafi (and more specifically Wahhabi) teaching has been gaining ground, propelled by donations from charities and benefactors in the Middle East and fostering a greater orthodoxy in many of the increasing number of religious schools (Houben 2000; Desker 2003).

According to the Ministry of Education, there were more than 500 private Islamic schools in south Thailand in 2004, including more than 2,000 teachers and 25,000 students (Chongkittavorn 2004). While most are registered with the Ministry of Education, some are beyond official supervision. Funded by private donations and in many cases founded by teachers (*ustaz*) who themselves have undertaken religious studies in Pakistan and the Middle East, some *ponoh* became breeding grounds for potential radical Muslims. Separately, according to Thai government sources, in the past 15 years, 5,000 Thai-Muslim students graduated from religious schools and various Islamic universities in the Near and Middle East and South Asia.[11]

Upon returning home, few of these young graduates were able to find a job and were at the mercy of aid donors from Islamic countries in the Middle East. They became religious teachers in local communities, thereby contributing to the spread of more orthodox and radical versions of Islam, such as Wahhabi and fundamentalist Islam. Politically radical young *ustaz* and their students became protagonists of the movement of *Ummahism* in southern Thailand. This resulted in an expanded pool of

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alienated youth who became prime targets for recruitment by extremists. Inspired by the noticeable expansion of both radical Islamism and the transnational activities of the mushrooming number of radical Islamist organizations as well as by the Thai government's assistance to the U.S. war on terror after 2001, they became a spearhead for Islamist revival in the south.[12]

Shift of Government Policies

Increasing Islamic awareness and the split among Thailand's ethnic Malays between Islamic fundamentalists, or reformists, and more moderate traditionalists contributes to a more favourable social climate for Muslim insurgency in the south. This in turn improves the opportunities for insurgent groups to recruit followers. The current crisis, however, is also a result of some government policies that aggravated the situation in the region.

The insurgency problem in the south re-emerged after the January 2001 elected Thai Rak Thai party-led government decided to impose greater central control over a region traditionally dominated by the TRT's main opponent, the Democratic Party. Upon taking office, Prime Minister Thaksin announced his intention to make major changes in the government's policy in the south. This step was taken to break up the Democratic Party's control over the bureaucracy in the south in order to solidify TRT's dominance in the region. From the mid-1990s the only seats not held by the Democrats were those of a group of Muslim MPs from the National Aspiration Party (which merged with TRT) in 2001, all from the border provinces.

While these measures weakened the Democrats' party machine in the south,[13] the policy did not take into account the south's unique culture and religion. The programme contributed to the erosion of patron–client relations among local elites and voters in the south and the Bangkok-based Democratic Party that served as a prime mechanism for the representation of southern interests in national politics (Hicken 2002). Thus it widened the gap between local voters and the government in Bangkok.

Another measure to strengthen the new government's control over the region was the cabinet's decision in March 2002 to dismantle the successful intelligence and suppression operations against separatist groups. Even though the relative weakness of intelligence has been a characteristic feature of Thailand's security apparatus for decades, inconsistencies in the handling of the crisis by the Thai Rak Thai administration aggravated the problem.

The crisis in Thailand's security services and intelligence has developed over time at various levels. The backdrop to specific

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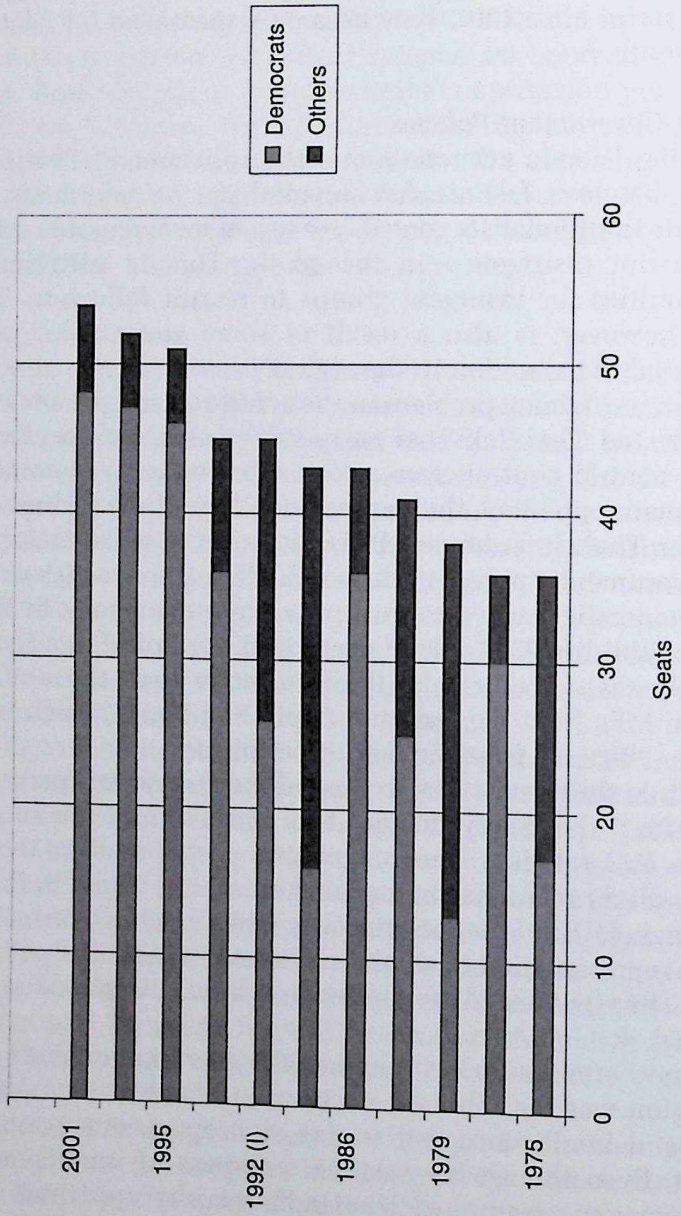

FIGURE 2
Elections in the South, 1975–2001

SOURCE: Statistics taken from Nelson 2001, pp. 304–9.

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institutional and operational failures is the inter-agency rivalry between, and organizational fragmentation of, the Thai intelligence community along service and cabinet lines. The security services in Thailand are additionally plagued by endemic corruption and a long-standing rivalry between the Royal Thai Army (RTA) and the Royal Thai Police (RTP) over illegal business opportunities. Another problem is bureaucratic competition and lack of coordination among different services and ministries (Abuza 2003, pp. 19, 236).

The intelligence situation in the southern provinces has long been murky. But the government's decision in mid-2002 to dissolve the Yala-based South Border Provinces Administration Centre (SBPAC) has been widely criticized as a mistake that deepened the problems of information gathering and analysis. An inspectorate set up in 1981 attached to the Ministry of Interior, the SBPAC had served as an interface between Bangkok and local provincial administrations. The same year also saw the abolition of an Army-run joint civilian-police-military border security office known as CMP-43. This move handed security in the south to the police forces (Rahimmula 2003, p. 274; Islam 2005). The transitional period between had led to a power vacuum. To make matters worse, the Prime Minister responded to the emerging security crisis by dividing responsibilities between the offices of three different ministries and reducing the Ministry of Defense to a revolving-door.

After the government became aware that previous measures had failed to improve the situation, the chain of command for state agencies working in the region was restructured several times. Subsequently responsibilities were recentralized and Deputy Prime Minister Gen (rtd.) Chavalit Yongchaiyudh, the architect of victory over communist insurgents in the early 1980s, was given full authority over the situation. In early October 2004, however, Thaksin sidelined Chavalit again by installing Deputy Supreme commander General Sirichai Thayasiri as the new chairman of the Southern Border Provinces Peace-Building Command, an organization set up in April 2004 to act as a super-agency directing and coordinating the operations in the South.[14]

Low Quality of Crisis Management

The government's failure to ignore early warning signals from the south exacerbated the crisis. Initially the government's response to the problem was limited to labelling the unrest a law-enforcement issue. Instead of recognizing that the country had an insurgency problem, the government blamed the violence on gangs of organized criminals. As late as April 2004, Prime Minister Thaksin denied allegations of insurgency or terrorism, describing them as a part of an

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evil plot to undermine the country's tourism industry and tarnish its reputation as a safe destination for foreigners (Chongkittavorn 2004). The government thus lost valuable time for formulating a more coherent response to the emerging crisis.

What has further angered local Muslims was Thaksin's seeming insensitivity not only to the steadily deteriorating situation in the south, but particularly to the humanitarian tragedies of both 28 April and 25 October 2004. There is a perception among the Muslims as well as among non-Muslim human rights activists that the government lacks a willingness to hold the security forces accountable for their actions. Consequently a growing perception among Muslims that the administration in general, and the security forces in particular, are anti-Muslim is adding to the complexities of an already difficult situation.

The cultural insensitivity of the security forces and an increasing number of human rights violations committed by the police and the military have provoked fear and anger and strengthened the cause of the insurgents. According to reports in 2004 by Thai newspapers and the National Human Rights Commission, as many as two hundred local Malay Muslims have been carried away by local police and military or disappeared after the security forces had looked for them. Several other measures taken by the security forces, such as intrusions into unregistered religious schools, the arrests of teachers, and the army's frequent search-and-arrest hunts, have also eroded the local people's willingness to cooperate with the security forces.

The government's decision in summer 2003 to dispatch Thai troops to Iraq and to consider the American proposal for allowing the use of Thai facilities such as Utapao Air Base to fight Al-Qaeda linked Islamic terrorism in Southeast Asia has increased the fragility of the relationship between the government and Muslims. The government's acceptance of U.S. demands was perceived by many Thai Muslims as the Prime Minister's personal desire to become a major U.S. ally in Southeast Asia. The outrage expressed by radical Muslims against the United States, however, is shared by the moderate Muslim majority in southern Thailand, who began to fear they could become the real target of the anti-terror war.

This fear was also founded upon two emergency decrees on anti-terrorism and money laundering, which the government passed in autumn 2003. In view of the continuing climate of impunity for the security forces in the context of the violence in the south and the 2003 "war on drugs",[15] these new security regulations raised strong concerns in the Muslim-dominated south that the government's security policy would lead to a further deterioration of human rights and civil liberties in the south. Thai-Muslim community leaders mobilized more than

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100,000 Muslims in a rally in Pattani, criticizing the regulations as being aimed at them (Buente 2004).

Perspectives of the Conflict and Its Impact on Democracy

What are the prospects for peaceful conflict solution in southern Thailand? How can the government counter the new wave of insurgency? What are the consequences for Thai politics? In the short term, the overall assessment is pessimistic. In view of the present downward spiral of violence and counter-violence, more unrest must be expected in the near future. The long-term solution to the problem of Muslim insurgency in southern Thailand is to develop a new counterinsurgency strategy that combines short-term measures focusing on stabilizing the security situation with a long-term approach that redresses the political, cultural, and economic root causes of the problem.

Any democracy faces a crucial dilemma when combating terrorism and Thai democracy is no exception. One the one hand, governments must take short-term reactive measures to stop the violence. On the other hand, they must implement long-term preventive measures and explore different ways of addressing the root causes of armed conflict. The dilemma is that there might be a trade-off between both strategies (Stepanova 2003). Short-term reactive actions that focus on coercion, retaliation and interdiction are unlikely to halt terrorism and indeed are likely to encourage it. Ackoof and Struempfer point to the dilemma, that "a continuing tit-for-tat exchange is initiated which tends to exacerbate the conflict and take it further away from the possibility of a peaceful settlement of differences. Violence turned onto terrorists tend to strengthen their resolve and make their recruiting easier, especially when the violence used against terrorist has innocent civilian victims" (Ackoof and Struempfer 2003, p. 289). Especially, where political violence is affiliated with a particular ethnic or religious community, government counter-violence will appear discriminatory and unfair (Crenshaw 1983, p. 20). This will increase distrust of the government and sympathy for its opponents, a polarization particularly evident in southern Thailand towards the end of 2004.

At the same time, long-term preventive measures that address the root causes of the insurgency may take decades to produce noticeable results. In the meantime, the scale and scope of the terrorist threat faced by the government are such that the problem cannot wait. Therefore, a promising counterinsurgency strategy must start with a broad recognition by government of the need to address Muslim disaffection from which both radical Islam tendencies and separatism have been drawing strength — but it must not stop here. Rather it must combine short-term measures

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stressing better field intelligence, law enforcement, reduction in the resources of terrorists, and communication between the security forces and the Muslim community with medium and long-term preventive measures. Such a smart counterinsurgency strategy should account for, *inter alia*, the following considerations.[16]

1. The Royal Thai Police (RTP) should be used as the weapon of the first resort against terrorism and the army only as the weapon of last resort. Given the deeply flawed police system and RTP's involvement in human rights abuses, before the police can fulfill this function, improvement in the training of the police for counter-terrorism and drafting and implementing a code of conduct are necessary.
2. Improving cooperation between police and military and revamping the local intelligence apparatus must be given high priority.
3. Martial law should be lifted. Martial law gives the military too much power and has caused several problems since it was implemented. Considering the danger of further alienation between Buddhist and Muslim communities in the south, the existing Self-Defence Volunteer Units in the south which recruit particularly among Buddhist villagers should be deactivated or dissolved. Whether these militias contribute in any meaningful sense to security in the south is arguable. They could easily deepen the problem of small-arms trade in the region and increase the risk of 'privatized' counter-violence.
4. Cooperation between Thailand and neighbouring governments, especially with Malaysia, on issues of border security, border provinces development and religion must be improved. Although the past couple of months have brought some progress,[17] the weakness of intra-Southeast Asian security cooperation is, historically speaking, a characteristic feature of the Association of Southeast Asian Nations. While Thailand's current challenge of dealing with ethno-religious militancy means this is an area for cooperation with other countries in the region facing similar problems, the prospects for any significant improvements are uncertain.
5. Overhauling the education system in the south and reforming religious schools to stop attempts at a radicalization of the local Muslim culture and religious practices, funded by Islamist foundations, is necessary. This would decrease the ideological and personal support for radical Islamist insurgency and, thus, is another top priority. A first step might be broader cooperation with the Malaysian government, which in recent months has taken a number of promising measures to deal with these issues.
6. Economically developing the south is another crucial element for conflict solution. Given the structural problems of economic

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development in the south, any short-term actions may have some symbolic effect on the Thai population but will not improve the economic conditions in the south. In the long term, improving social and economic conditions in the south is crucial in lowering the local potential for violent insurgency.

7. No policy toward insurgency or terrorism is free of social and political costs. All policies toward political violence have negative side effects for civil liberties and inaction is also associated with costs that involve, inter alia, the violation of civil liberties by terrorists. The argument that combating terrorism requires using terrorist methods, however, "is not only morally abhorrent but politically disastrous" (Crenshaw 1983, p. 33; see also Wilkinson 2000). Therefore "a commitment to human rights needs to be at the forefront of any country's counter-terrorist strategy" (Abuza 2003, p. 258). Any further worsening of the human rights situation in the south will only support the insurgents' cause. The current Prime Minister, however, prefers even tougher new security laws to thwart Islamic separatists.[18] Establishing a Truth Commission with representatives from among the local Muslim communities, the government, and non-Muslim civil society groups, and headed by respected judges, to confront with human rights violations in the south would be a first step to strengthen mutual trust.

A crucial difficulty in combating Muslim insurgency in the south is to convince the moderates that the internal dynamics of counterinsurgency will not put civil rights, the democratic process, or cultural rights at risk. If the Muslim population stops believing in the political process in recently democratized Thailand, the government will lose the fight on the political front, leaving only military options available. Thailand's own experience with the communist insurgency in the 1970s and 1980s demonstrates that successful counterinsurgency is to a large extent economic and political, whereas military solutions are secondary at best.

The Thai government, however, may feel encouraged by the insurgency in the south to extend already existing internal security arrangements and emphasize the military response to the separatist movement. The net outcome of southern unrest might benefit authoritarian tendencies in the new democratic regime as the government could feel tempted to use the counterinsurgency to shift the political agenda to state security and away from democracy and human rights, as already has happened in some Southeast Asian countries (see Cotton 2003; Thompson 2004). Comparative studies in terrorism and democracy demonstrate that although terrorist and insurgency organizations have almost everywhere failed to reach their primary objectives, they often

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reached their secondary goal of changing the foundations of state power. Especially in young and unconsolidated democracies, the democratic system is the structural victim of political violence. For example, in Burma (1962), Turkey (1983), Uruguay (mid-1970s) and Argentina (1976) insurgents and terrorists reached their secondary goal, the breakdown of democracy. Concerning the political dynamics of the "Thaksinization" of Thai politics (McCargo and Pathmanand 2004) since 2001, the presumption that unrest in the south may drive the already faltering consolidation of democracy towards a "semi-" or "illiberal democracy" is not groundless (McCargo 2002; Pogsudhirak 2003).

Two possible scenarios of democratic regression can be outlined. According to the first scenario, the ruling TRT and Thaksin will choose a strategy of vote-seeking for the parliamentary elections of February 2005 that attempts to stoke fears and nationalist reactions among the Buddhist peasants, farmers, city-dwellers and working class in other regions of the country. These groups provided the TRT the bulk of its support in the elections of January 2001. On the other hand, surveys conducted in the past couple of months suggest that TRT's support is rapidly eroding because of rising concerns about the economic and political situation.[19] If the TRT-dominated government fails to restore security, peace and law in the south, the party will run the risk that its legitimacy in governing the country is diminished. A crisis of government and the further worsening of the security situation in the south may provoke an authoritarian backslash in the political system, either in the form of restoration of authoritarian tendencies within the government or by provoking elements outside the government to attempt the extra-constitutional ousting of the sitting government.

Conclusions

The findings of this analysis can be summarized in four major points. First, ethno-religious conflict in the Patani Raya region included both periods of violent conflict and peaceful coexistence. Historically, however, the Muslim minority only rebelled when the Muslims perceived their cultural identity as threatened by Bangkok-based authorities. Second, several contentious religious, cultural, economic and political issues lie at the root of the present-day violence. This analysis has identified how the presence of socioeconomic and historical issues, as well as more recent factors and developments, changed the enabling environment for ethnic insurgents in south Thailand. This development promotes the transformation of an old, low-intensity conflict into a virulent and increasingly violent conflict. This process of environmental change has been crucial for the resurgence of Thai

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Muslim separatism. Third, the grievances of Thai Muslims are local in nature. As in most other places in Southeast Asia (Simon 2002, p. 37), insurgency is ethnic-based domestic violence. A distinct connection with terrorist networks in the region or international networks of Islamist terror has not yet been demonstrated. Whereas the insurgency before 2001 had never been a serious match for the Thai government, government authorities and security forces today face new activities and a massive recruitment drive. Insurgents are better organized and more effective than in the past. Fourth, a viable solution of the conflict must include short-term measures to de-escalate the situation and a long-term strategy. Short-term measures include a mix of political, military, and economic steps. A long-term strategy, however, has to start with the general recognition in government of the need to address Muslim disaffection from which both radical Islamic tendencies and separatism have been drawing strength.

Three broad conclusions regarding the prospects for peaceful conflict solution in southern Thailand may be drawn from this analysis. First, in the short term, the overall assessment is pessimistic. In view of the recent downward spiral of violence and counter-violence, more unrest must be expected in the near future. Second, the main question of conflict solution is if the political authorities in Bangkok can develop a new counterinsurgency strategy that combines measures focusing on stabilizing the security situation with measures that redress the political, cultural, and economic root causes of the problem. Third, the conflict is further complicated because of the possibility that unrest in the south may provoke a serious crisis in Thailand's young democracy and become a trigger that will facilitate already visible tendencies of faltering democratic consolidation and erosion of democratic standards.

The further rise or decline of ethno-religious conflict in south Thailand will critically depend on the extent to which the central government is able to develop a smart counterinsurgency strategy. Such a strategy must redress the root causes of the problem without compromising human rights and the democratic quality of the political regime.[20] Whether such a desirable scenario will materialize remains another key unknown.

NOTES

1 The English rendering of the name "Patani" is based on the Malay (Bahasa Malaysia) spelling, while "Pattani" is based on the Thai spelling. In this article, Pattani is used when it refers to the region after 1909.

2 For a detailed account of Muslim history in Thailand, see Andrew D.W. Forbes, *The Muslims of Thailand* (1989).

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3 *The Nation*, "Cabinet to Consider Southerner's Needs", 27 September 2004.
4 The Village Scouts organization was founded by the Border Patrol Police in 1971 as a civilian anti-communist mass organization. The Village Scouts became notorious for their violent activities in the mid-1970s, when the kingdom faced a growing threat of communism and popular calls for democratization; see Bowie, *A Ritual of National Loyalty* (1997).
5 *Strait Times Interactive*, "Chavalit Calls for Truce with Thai Militants", 25 September 2004.
6 *Jane's Intelligence Review*, "Southern Thai Insurgency Gains Fresh Momentum", 1 August 2004.
7 *Jane's Intelligence Review*, "Thailand Cracks Down on Illicit Arms Trade", December 2003, pp. 30–31.
8 Through the 1980s and early 1990s, the emergence of *jao pho* became a prominent feature of Thai politics. In the late 1980s and early 1990s, provincial godfathers became notorious for their control over the local coercive apparatuses of the state and their ability to achieve effective local monopolies over the organization of official and unofficial violence. See Ruth McVey, ed., *Money and Power* (2000).
9 *Jane's Intelligence Review*, "Asia — Ethnic Divide Widens in Thailand", 1 November 2004.
10 Calculations by the author based on statistics taken from United Nations Development Program (UNDP), *Thailand* (2003) and Falkus, "Income Inequality" (1999).
11 *Jane's Intelligence Review*, "Southern Thai Insurgency Gains Fresh Momentum", 1 August 2004; *Jane's Intelligence Review*, "Asia — Ethnic Divide Widens in Thailand", 1 November 2004.
12 As violence increased, government pressure resulted in 214 *ponohs*, with enrolments of between 7,000 and 10,000 students, signing up with the Ministry of Education by year's end. An estimated 50 other schools, however, have yet to comply. See *The Nation*, "Analysis: New Faces, but the Same Old Tactics in South", 7 October 2004.
13 In August 2004, four of the DP's eight MPs in the four provinces with large Muslim majorities defected to TRT. See *The Nation*, "Analysis: Democrats in Fight to Save Stronghold", 13 August 2004. Another indicator for the erosion of DP's power in the south was the outcome of the March 2004 elections of the Provincial Administrative Organizations' executive heads. According to media coverage, of 34 winning candidates in the 14 southern provinces, 10 were affiliated with TRT party, 12 were affiliated with the DP, and 10 were independent, while data for the single winning candidates in Satun and Songkhla respectively were not available to this author. Data are taken from the King Prajadhipok's Institute. *Newsletter*, July 2004, pp. 3–9.
14 *Jane's Intelligence Review*, "Asia — Ethnic Divide Widens in Thailand", 1 November 2004; *Bangkok Post*, "Chavalit 'Supremo' in South as PM Flipflops on Chettha", 29 September 2004.
15 Responding to the deepening drug problem in Thai society, the government declared a "war on drugs" in February 2003. The government later reported that 2,245 people were killed during the three-month campaign; Amnesty International, "Thailand: Memorandum on Human Rights Concerns", AI Index: ASA 39/013/2004 (October 2004), p. 5; *The Australian*, "Thais Gripped by Deaths of Enemy Within", 30 October 2004.
16 See also B. Raman, "Thai Dilemma over Muslim Anger", *Asia Times*, 3 November 2004.
17 Most recently, Thailand has asked Malaysia to send Islamic scholars to share Muslim teachings in the deep south in order to propagate a "correct" understanding

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of Islam. Thailand and Malaysia also signed the Joint Development Strategy framework in August to start development projects intended to strengthen border development. See *Strait Times Interactive*, "Malaysia to Send Islamic Scholars to Thai South", 15 October 2004.

18 The proposed draconian decree would have given security officers greater leeway in tackling violence. Following harsh criticism even from inside the government, however, the PM stepped back from the idea. See *New York Times*, "Thailand: Premier Seeks Stronger Security Laws", 3 December 2004 and *The Nation*, "Southern Unrest: Vishanu Rejects Request for Decree", 4 December 2004.

19 *Strait Times Interactive*, "Chavalit Calls for Truce with Thai militants", 25 September 2004.

20 The views and opinions expressed in this article are solely the author's and do not represent the views of the U.S. government. The author would like to thank Daniel Pojar, Warren Matthews, Yani Dilag, Jonathan Brown and the anonymous reviewers of this journal for their constructive criticism. All remaining mistakes and errors are of course the author's.

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Contemporary Southeast Asia 27, no. 1 (2005): 44–63 ISSN 0219-797X

The Politics of Locality and Temporality in the 2004 Malaysian Parliamentary Elections

VEJAI BALASUBRAMANIAM

This article examines the role of locality (ethnic composition of the constituency) and temporality (the almost five-year hiatus between elections) for BN in the parliamentary elections. In the 2004 Malaysian parliamentary elections, the ruling coalition, Barisan Nasional (National Front, BN), secured a two-thirds majority. BN also increased both its share of popular votes as well as the total number of seats in bumiputera majority constituencies, recovering ground lost in the 1999 elections. In bumiputera minority constituencies where voter sentiment was divided symmetrically between BN and the Democratic Action Party (DAP) it is the latter which has been more successful. It is in the mixed constituencies where BN has been most popular. The increase in the number of seats in this category of electorate has worked overwhelmingly to BN's advantage, enabling it to control nearly 90 per cent of the 219-seat parliament, implying therefore a continuation of NEP (New Economic Policy) trends in Malaysia's political economy.

Introduction

Parliamentary elections in Malaysia are hotly contested affairs. The March 2004 11th General Elections were billed to be one of, if not, the most interesting yet. Abdullah Badawi, Mahathir Mohammad's hand-picked successor who had only in October 2003 been appointed as Prime Minister and leader of UMNO, led the Barisan Nasional (National Front, henceforth referred to as BN)[1] campaign. His popular image and

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credentials as "Mr Clean" and "Mr Religious" was deemed to augur well for BN, bleaching it of various allegations of mismanagement, cronyism, corruption and, more importantly, bridging the bitter factions in the United Malays National Organization (UMNO), the leading member of BN. There was also widespread belief that the country could witness a repeat of the oppositional coalition Barisan Alternatif's (Alternative Coalition, henceforth referred to as BA) strong performance in the 1999 general elections.

Defying speculation, BN emerged victorious to win a two-thirds parliamentary majority, capturing 64 per cent of the popular votes, a little short of the stunning 65 per cent it won in the 1985 elections. Dr Mahathir Mohamad, whose resignation as Prime Minister came just a few months shy of the general elections, had enough magnanimity to suggest his departure from the political limelight after 22 years in office — a factor that may indeed have worked to the BN's advantage — allowed it to make a turnaround.[2]

Adopting an approach that divides the electorate into different bandwidths or frequencies based on ethnic composition of the constituencies, the article compares and juxtaposes the voting pattern and trends of the 1999 and 2004 parliamentary elections. It argues that temporality, i.e. the hiatus of nearly five years between elections, and locality in terms of ethnic composition of the constituency, were vital for BN securing two-thirds majority. The article begins with an overview of BN and non-BN[3] electoral performance in the 2004 parliamentary elections. The next section discusses temporality and locality on BN's performance by subjecting the election data to statistical analysis using the multinomial logits saturated model. The conclusion summarizes the main points.

The Elections in Malaysia

In the 2004 parliamentary elections the BN won 181 of the 202 seats that were contested and 17 uncontested seats, bringing its total to 198 seats. The remaining 21 seats were won by the non-BN comprising the Islamic Party of Malaysia (PAS) and Parti Keadilan Malaysia (National Justice Party, Keadilan) and Parti Rakyat Malaysia (PRM) which together merged in a loose coalition called the Alternative Front (Barisan Alternatif, BA) and the Democratic Action Party (DAP).[4] Table 1 shows how the parties fared in the 14 States. Table 2 shows seats won by the respective political parties and their percentage share of popular votes.

The BN managed to retain the 3 seats in Perlis up for grabs, while increasing its share in Kedah from 7 to 14 of the 23 seats it contested. In Kelantan the BN increased its share of seats from one to

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TABLE 1
Distribution of Parliamentary Seats by State and Party in 2004

State	*BN*	*Non-BN*	*Total*
PERLIS	3		3
KEDAH	14	1	15
KELANTAN	8	6	14
TERENGGANU	8		8
PENANG	8	5	13
PERAK	21	3	24
PAHANG	14		14
SELANGOR	22		22
NEGRI SEMBILAN	8		8
MELAKA	6		6
JOHOR	24		24
SARAWAK	21	1	22
SABAH	15	1	16
W. PERSEKUTUAN	9	4	13
TOTAL	**181**	**21**	**202**

Figures indicate contested seats only. In Sabah only 16 seats out of a total of 25 seats were contested, 9 seats were won by BN uncontested. In Sarawak 22 seats out of a total of 28 seats were contested, 6 seats were won by BN uncontested. In Johor only 24 out of 26 seats were contested, with BN winning 2 seats uncontested.

SOURCE: *New Straits Times*, 19 March 2004, 22 March 2004, 23 March 2004; *Utusan Malaysia*, 22 March 2004; *Berita Harian*, 22 March 2004; *The Star*, 22 March 2004. The data is sourced from the Election Commission of Malaysia.

TABLE 2
Distribution of Parliamentary Seats by Political Parties in 2004

Party	*Total Seats*	*Total votes*	*% valid votes*
BN	181	4,434,203	63.93%
PAS	7	1,057,853	15.25%
Keadilan	1	621,330	8.96%
DAP	12	688,630	9.93%
Independent	1	133,976	1.93%
Total	202	6,935,992	100.00%

SOURCE: *New Straits Times*, 19 March 2004, 22 March 2004, 23 March 2004; *Utusan Malaysia*, 22 March 2004; *Berita Harian*, 22 March 2004; *The Star*, 22 March 2004. The data is sourced from the Election Commission of Malaysia.

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6 thereby reducing PAS' majority to 8 seats from the 13 it held before parliament was dissolved. In Terengganu, BN won all 8 seats which were held by PAS previously. In Penang, BN won 8 of the 13 seats (2 of which were new) up for grabs, while DAP won 4 and BA represented by Keadilan, one seat. In Perak, of the 24 seats (one new seat) BN captured 21 and DAP retained its previous total of 3 seats. Pahang, which had 3 new seats to bring a total of 14 seats, was firmly in the hands of BN. The BN also won all 22 seats in Selangor, ditto in Negri Sembilan, Malacca and Johor (which remains a strong BN state). In Sarawak, it managed to win 21 of 22 seats that were contested with DAP winning one seat and in Sabah BN captured all 15 of the 16 seats contested; the Sandakan seat (P186) was won by an independent candidate. In the Federal Territory, BN captured 9 of the 13 seats, while DAP managed to retain the 4 seats it won in 1999.

Apart from PAS, both Keadilan and DAP suffered significant losses in terms of votes seeing a decline in their share of the non-BN votes from 11.4 per cent in 1999 to 9 per cent in 2004 for Keadilan and 12.6 per cent in 1999 to 9.9 per cent in 2004 for DAP. PAS, DAP and Keadilan together polled 94.6 per cent of the votes in 2004 and 94.7 per cent in 1999 indicating independents as well as non-BN parties such as the Malaysian Democratic Party (MDP), Parti Reformasi Negeri (National Reformation Party, STAR), Party Rakyat Malaysia (Peoples Party of Malaysia, PRM), Barisan Jemaah Islamiyah SeMalaysia (Malaysian Islamic Front, BERJASA) are not popular with the electorate. There were 174 straight contests between BN and non-BN of which 106 were between UMNO and non-BN parties and the rest involving other BN component members and non-BN parties.

Ratnam and Milne (1970) point to the importance of location in the sense of constituency type for parliamentary elections. Employing categories such as rural, urban, quasi urban, and "others" and associating them with particular ethnic groups, they seek to show how the votes actually went in the 1969 parliamentary elections in West Malaysia. To be sure, the 10 May 1969 general elections has a special place in Malaysia's postcolonial history because three days after those elections Kuala Lumpur and its immediate vicinity became the scene of bloody racial riots. There is an obvious link between the Alliance's[5] (precursor of the BN) miserable showing in the elections and the racial pogroms suggesting how germane winning two-thirds majority, which the Alliance failed to secure, is for political stability.

It is popularly contended that the Alliance's poor performance in the 1969 parliamentary elections was a direct result of a swing in non-Malay support for the opposition, in particular the DAP. However,

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Ratnam and Milne (1970) whose study among other things was concerned with the trend in the "communal votes", showed that the Alliance had lost more of the Malay votes than the non-Malay ones. Victory processions by DAP were seen as provocative, triggering violent retaliation from Malay nationalists. Bigots on both sides were not concerned with such precision or veracity; mistaken estimates were legitimized to bring the dogs of war out for a fight resulting in race riots.

The National Economic Policy (NEP) was introduced in 1970 to ensure political stability and prevent further racial unrest by addressing Malay concerns for more equitable wealth distribution and restructuring society to eliminate the ethnically defined occupational structure. Malays were predominantly in subsistence agriculture while, by and large, the Chinese were concentrated in urban areas and the Indians in plantation estates.

But apart from this singular and isolated scar in 1969, the body politic has been in the main unblemished. That the BN has consistently won two-thirds majority in all parliamentary elections since its debut in 1974 would indicate that the NEP has contributed to political stability.

An examination of voting trends indicates the important role played by what Ratnam and Milne have described as the anti-communal vote for BN. Typically denoting a tactical voting strategy which finds a Malay voting for a non-Malay candidate from either Malaysian Chinese Association (MCA) or Malaysian Indian Congress (MIC) rather than a candidate from the DAP. The aim is to deny the latter, which articulates a Malaysian Malaysia ideology, victory as the DAP is largely perceived as serving non-Malay interests. A similar rationale informs non-Malay voters who would rather vote for a Malay candidate from UMNO than a candidate from the Islamic Party of Malaysia (PAS), which most non-Malays perceive as serving a Malay-Islamic agenda. This voting tactic which predominates in the mixed constituencies where no single "communal group" has a high majority in the electorate, works to the advantage of BN, the Alliance's successor, providing it with political mileage as it packages itself as an inter-communal party. In 1969, Ratnam and Milne noted that the non-Alliance parties have been able to make inroads in this category of the electorate too, suggesting that the Alliance cannot continue to depend on the electorate behaving so predictably. To be sure, anti-communal voting has continued to be important for BN, the Alliance's successor. Ratnam and Milne add the caveat

> one must therefore be careful not to misinterpret these findings. While it is clear that the MCA (Malaysian Chinese Association, an Alliance and subsequently BN member) is not very popular among the non-Malays it would be wrong to conclude that non-Malays in

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> any way prefer the UMNO. The point may also be made that, despite its poor showing the MCA ... even if it cannot attract sufficient support for its own candidates, its links with UMNO at least helps to make it more acceptable to Malays.[6]

However, Ratnam and Milne's employment of terms such as urban, rural, and quasi-urban to denote the categories of electorate are, like all previous studies of Malaysian politics, wanting. Scant attention is given to defining how the above concepts are used (Mauzy 1979, Mauzy 1983, Means 1991, Muzaffar 1982, Crouch 1980, Gomez 1996, Khong 1991, Ratnam and Milne 1967, Sankaran and Adnan 1988, Strauch 1978, Loh and Saravanamuttu 2003). To be sure, the status of constituencies change over time, depending on the rate of economic development of particular States in the federation, and the use of "others" as an ethnic category is ambiguous. Categories such as rural, urban, coastal, riverine, highland, inland, working class, middle class, elites, must be problematized and grappled with so that they may be employed meaningfully with a measure of precision. The best official categorizations in Malaysia are those employed by the Land Office for calculating quit rent. Using such categorizations however, would have an electoral constituency such as Gelugor in Penang Island being defined as rural when a significant proportion of the denizens are professional rich and middle class. This raises valid questions regarding the accuracy of terms employed and the issues that must be taken into account when defining constituencies as urban or rural.

Such simplistic dispensation however, is not confined to the use of categories but also the manner in which general inferences are made from voting patterns. Thus, for example Loh and Saravanamuttu (2002) in their partisan pro-*Reformasi* study of the 1999 elections made unqualified assertions such as rural voting patterns are more predictable than urban voting behaviour almost exclusively by looking at percentage changes in voting. Their hypothesis, premised on percentage changes without the rigors of statistical analysis, would have us accept subjective adjectives such as "high" and "low" to describe electoral support. What is considered a high or low percentage is at best ambiguous and debatable.

A cursory glance of Malaysia's Constitution would show the salience of ethnicity for politics. The two classes of citizens, the *bumiputera* and non-*bumiputera,* is a product of UMNO-led ethno-nationalism wherein the goal of ensuring Malay ethnic political dominance is central.[7] Nevertheless, it should be noted that the affirmative action policy owes its roots to British attempts to offer moral rationale for colonization by protecting and safeguarding Malay customs and religion; it found expression in Malay land reservations and enhanced educational and

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employment opportunities in the form of quotas. The postcolonial government's brief however deepened this policy through the NEP by expanding Malay corporate wealth ownership. It must be stated here that Malay laments over the pattern of wealth distribution ignores the fact that it was through the exploitation of Indian and Chinese labour in the rubber and tin industries respectively that that wealth was created. The NEP in essence cemented the discriminatory British policies vis à vis the Indians and Chinese in Malaysia.

Thus, what underpins and underwrites the delineation of electoral boundaries and constituencies are ethnic considerations, against which background the electorate is categorized in the following section.

Locality and Ethnic Demographics

To analyse BN's performance in the parliamentary elections, constituencies have been categorized based on the *bumiputera* percentage of the electorate: (a) *bumiputera* minority constituencies where *bumiputera* constitute less than 30 per cent of the electorate, (b) *bumiputera* high majority constituencies where they constitute 60 per cent and above but below 80 per cent, (c) *bumiputera* absolute majority constituencies where they constitute more than 80 per cent of the electorate and, (d) the mixed constituencies where the *bumiputera* electorate constitute between 30–59 per cent. It is assumed that the make up of mixed constituencies poses challenges to a political party to win solely on the votes of a single ethnic group. Thus, even in the top one-third band of this category i.e. where *bumiputera* constitute 50–59 per cent of the electorate, even a ten per cent split in *bumiputera* votes would imply that a political party seeking to win must secure enough non-*bumiputera* votes. This scenario does not obtain in *bumiputera* majority or *bumiputera* minority categories where a party can win purely on the support of a single ethnic group. Table 3 shows the ethnic breakdown of the electorate in 1999 and 2004 respectively, while Tables 4 and 5 show the different categories of electorate, their percentage share of seats and votes garnered in 1999 and 2004 respectively.

In 1999, a total of 192 parliamentary seats were up for grabs. This precludes the one seat won by BN uncontested. Fifty-eight of the contested seats were in mixed constituencies, 115 in the *bumiputera* majority range of which 70 were in the *bumiputera* absolute majority category while 45 were in the high majority category, and 19 seats where non-*bumiputera* are in the majority. The mixed seats accounted for 30.2 per cent of the total number of seats, *bumiputera* majority constituencies 60 per cent, and non-*bumiputera* majority constituencies 10 per cent.

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TABLE 3
Ethnic Composition of the Electorate 1999 and 2004

Ethnic Breakdown	*Overall Electorate 1999*	*Percentage Share*	*Overall Electorate 2004*	*Percentage Share*
Bumiputera	5679231.4	59	5703040.9	58
Chinese	3110459.72	33	3213679.278	33
Indians	692693.9	7	741796.12	8
Others	85351.007	1	95314.286	1
Total Electorate	9567736		9753830.4	
Total Seats	**192**		**202**	

SOURCE: *New Straits Times*, 19 March 2004, 22 March 2004, 23 March 2004; *Utusan Malaysia*, 22 March 2004; *Berita Harian*, 22 March 2004; *The Star*, 22 March 2004. The data is sourced from the Election Commission of Malaysia.

TABLE 4
Categories of the electorate, their percentage share of the seats in 1999 and 2004
(figures in parenthesis represent percentage share)

% of bumiputera	*1999*			*2004*		
	BN	*Non-BN*	*Total/%*	*BN*	*Non-BN*	*Total/%*
Minority <30%	11	8	19 (9.89)	10	12	22 (10.89)
Mixed 30–59%	56	2	58 (30.2)	67	1	68 (33.66)
Majority 60–79%	38	7	45 (23.43)	49	1	50 (24.75)
Absolute M 80+%	42	28	70 (36.46)	55	7	62 (30.69)
TOTAL	**147**	**45**	**192**	**181**	**21**	**202**

SOURCE: *New Straits Times*, 19 March 2004, 22 March 2004, 23 March 2004; *Utusan Malaysia*, 22 March 2004; *Berita Harian*, 22 March 2004; *The Star*, 22 March 2004. The data is sourced from the Election Commission of Malaysia.

The BN won 56 or 96.5 per cent of seats contested in mixed categories. Its share of seats won in the two categories of *bumiputera* majority constituencies was 69.6 per cent or 80 seats — 42 in *bumiputera* absolute majority areas and 38 in the 60–79 per cent range. In the *bumiputera* minority constituencies the BN captured 11 seats or 58 per cent of the contested seats. In terms of the total 147 seats won by the BN: 38.1 per cent were from mixed constituencies, 54.4 per cent from *bumiputera* majority constituencies, and 7.5 per cent from *bumiputera* minority constituencies.

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TABLE 5
Categories of the electorate and votes garnered in 1999 and 2004
(figures in parenthesis represent percentage share)

% of bumiputera	*1999*			*2004*		
	BN	*Non-BN*	*Total/%*	*BN*	*Non-BN*	*Total/%*
Minority <30%	430,612(50.74)	417,955(49.25)	848,567	451,165(50.43)	443,339(49.56)	894,504
30–59%	1,507,813(60.12)	999,932(39.87)	2,507,745	1,865,557(69.64)	812,937(30.35)	2,678,494
Majority 60–79%	876,553(58.62)	618,583(41.37)	1,495,136	1,067,180(67.73)	508,241(32.26)	1,575,421
Absolute M 80+%	946,671(52.93)	841,683(47.06)	1,788,354	1,050,301(58.75)	737,272(41.24)	1,787,573
TOTAL	3,761,649	2,878,153	6,639,802	4,462,684	2,473,308	6,935,992

SOURCE: *New Straits Times*, 19 March 2004, 22 March 2004, 23 March 2004; *Utusan Malaysia*, 22 March 2004; *Berita Harian*, 22 March 2004; *The Star*, 22 March 2004. The data is sourced from the Election Commission of Malaysia.

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The BA won 2 or 3.4 per cent of seats in the mixed constituencies. In the *bumiputera* majority category, BA's share was 30.4 per cent or 35 seats, 28 seats in the *bumiputera* absolute majority category and 7 in the 60–70 per cent range. In the *bumiputera* minority category BA won 8 seats or 42 per cent. In terms of the total 45 seats won by BA: 9 per cent were in mixed constituencies, 78 per cent in *bumiputera* majority constituencies, and 18 per cent in non-*bumiputera* majority constituencies.

Hence, it is clear that the major challenge to BN comes from *bumiputera* and non-*bumiputera* majority constituencies with BA being able to capture in the region of 32 per cent, close to a third of seats in these categories. While doing well in these constituencies is vital, it is the performance of the BN in mixed constituencies where the non-BN challenge is weakest that helps the former win such a large majority. In this category of electorate anti-communal voting is definitely working to undermine BA, in particular PAS and DAP. And arguably, it is the BN's performance in this category of electorate which enabled it to defeat BA in what was perhaps Malaysia's most challenging election.

In the 2004 parliamentary elections DAP pulled out of BA. The DAP elite and their constituency were not impressed with PAS's push for *hudud* law, the Islamic penal code, in Kelantan and Terengganu after its 1999 victory. There was also a 4 per cent increase in the electorate and if taking this fact into consideration, there was an increase in the total number of seats up for grabs to 202. This precludes the 17 seats BN won uncontested. Sixty-two or 30.7 per cent of the total number of seats were in the *bumiputera* absolute majority category, 50 in the *bumiputera* high majority category, and 22 seats or 10.9 per cent in the *bumiputera* minority category. Mixed constituencies accounted for 68 seats or 33.6 per cent. Table 3 shows the different categories of the electorate and the share of seats held by the BN and non-BN in 1999 and 2004.

BN captured 67 seats or 98.5 per cent of seats contested in mixed constituencies. It won 104 seats or 93 per cent in the *bumiputera* majority constituencies of which 55 seats or 49 per cent were in *bumiputera* absolute majority constituencies and 43.7 per cent where *bumiputera* were in the 60–79 per cent range. In the *bumiputera* minority category BN won 10 seats or 45.4 per cent. In terms of the total 181 seats won, mixed constituencies accounted for 37 per cent, *bumiputera* majority 57.4 per cent and *bumiputera* minority 5.5 per cent.

The DAP won one seat or 1.5 per cent of seats contested in mixed constituencies. BA's share in *bumiputera* majority constituencies was 8 seats or 7.1 per cent of total seats in this category whereby its share in *bumiputera* absolute majority constituencies was 7 seats or 6.2 per cent and one seat or 0.9 per cent in the *bumiputera* high majority category. In

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the *bumiputera* minority category DAP won 12 seats or 54.5 per cent of seats contested. In terms of the total 21 seats won by non-BN (9 by DAP and 12 by BA): 4.8 per cent came from the mixed constituencies, 38.1 per cent from *bumiputera* majority constituencies and 57.1 per cent from *bumiputera* minority constituencies.

A comparison of the percentage change in popular votes garnered by BN in 2004 with 1999 in the different categories of electorate indicates the following: a decrease of 0.31 per cent in the *bumiputera* minority category, an increase of 9.5 per cent in the mixed category, an increase of 9.1 per cent in the *bumiputera* high majority range, and an increase of 5.8 per cent in the absolute majority category. In the case of mixed constituencies BN domination has been almost impenetrable — with the party winning 96.5 per cent of seats contested in 1999 and 98.5 per cent of seats contested in 2004. Hence, mixed constituencies were undoubtedly critical for BN in securing two-thirds majority in both 1999 and 2004.

Abdullah Badawi's "squeaky clean" image and the addition of 26 new seats in the 2004 polls following boundary adjustments worked to boost BN's electoral fortunes. The 26 seats were carved mainly out of existing constituencies after ostensibly taking into account changing demographics. It was a complex and shrouded procedure involving moving electorates between constituencies, causing chagrin and confusion even among Election Commission staff.[8]

Of the 26 new constituencies in 2004, 5 were in the *bumiputera* absolute majority category, 6 where *bumiputera* are in 60–79 per cent range, 10 in mixed constituencies, and 5 in the *bumiputera* minority category. The BN won 21 of these new constituencies: 9 of the 10 new seats in mixed constituencies, all 5 new seats in *bumiputera* absolute majority constituencies and all 6 where *bumiputera* are in the 60–79 per cent range. In *bumiputera* minority constituencies BN won only one of the 5 new seats.

In 1999, BN won 147 of 192 contested seats and 181 of 202 contested seats in 2004. Subtracting the 21 seats the BN won in the new constituencies in 2004 would indicate the spearheading of the election campaign by Badawi as the new Prime Minister had only increased BN's share of seats by 13 — most of which were in the *bumiputera* majority category. If the foregoing points to how boundary adjustments helped increase the BN's majority they also show how the BN's electoral performance differed in different categories of the electorate.

There were weaknesses within the BA too in 2004 which worked to the BN's electoral advantage. The opposition coalition was fragile when DAP decided to pull out in 2001. This development was

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complicated by the death of Fadzil Noor, the then PAS president and the detention of Nik Adli (the son of Kelantan Menteri Besar, Nik Aziz) under the Internal Security Act for having undergone training in Afghanistan and for having connections with militant Islamic groups. Mahathir for the first time managed to establish a link between radical Islam and PAS — something that he had been unable to do before. Badawi's accent on a tolerant version of Islam and symbolic gestures like leading the parliamentary prayer session for the late Fadzil Noor and the government's firm actions against Kumpulan Militan Mujahideen (Militant Mujahideen Group) helped to boost BN's popularity.

The above analysis allows four hypotheses on the Malaysian parliamentary elections: one, locality in terms of the ethnic composition of the electorate having a significant bearing on elections; two, the re-drawing of electoral boundaries has worked to BN's advantage; three, the dependability of the mixed constituencies and the anti-communal voting employed there works overwhelmingly in BN's favour; and four, the first-past-the-post system as a mechanism helps BN as it causes votes by losing parties to be wasted since the system operates on a winner-takes-all basis.

Temporality

Estimating the anti-communal votes in mixed constituencies is difficult as it is not possible to know how an individual actually voted and, short of a more detailed study based on voting behaviour in individual polling booths in a particular constituency, the best that can be done is to calculate the odds. Dividing the total votes won by BN in 2004 which was 1,865,557 with the votes won by non-BN as a whole, which was 812,937 in the mixed category an odds of voting BN of 2.3 times can be discerned. This contrasts with the odds of voting BN in *bumiputera* minority constituencies which was 1.01 times, obtained by dividing the total votes won by the BN i.e. 451,165 with the total votes won by the non-BN i.e. 443,339. Combining *bumiputera* majority constituencies with constituencies where *bumiputera* are in the minority and designating them as non-mixed constituencies (i.e. *bumiputera* majority and *bumiputera* minority) the ratio of votes in mixed to non-mixed constituencies expressed in terms of the odds of voting BN in 2004 was 1.5 times higher. The odds-ratio of mixed to non-mixed constituencies obtained by dividing the odds of voting BN in mixed constituencies (i.e. 2.3) by the odds in non-mixed constituencies (i.e. 1.5) was 1.5 times, indicating the choice for BN is one and a half times higher in a mixed category than non-mixed category. When the data for 2004 and

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1999 are compared for mixed constituencies a voting trend in favour of BN i.e. 1.5 times was discerned for 2004 indicating that the odds had gone up. In 1999 the odds in favour of BN in a mixed constituency was 1.26 times.

To measure the extent to which choice of party might differ across categories of electorate and if the four-and-half year hiatus between elections (i.e. temporality) affects voter decision, the multinomial logits saturated model was developed and applied to 1999 and 2004 election data.[9] This model will help to measure voting trends in 2004 relative to 1999 by calculating probabilities, odds, and the odds-ratio of voting BN in different categories of electorate. The saturated model had to be applied whence given its zero degrees of freedom would result in a perfect fit between model and data. Thus, odds can be expressed in the form of a log-linear equation

$$\ln (m_{ij}) = \alpha_i + \beta_j + \gamma_{ij} \ldots\ldots(1)$$

where m_{ij} indicate say the expected number of votes based on i = 1 or 2 (1 representing mixed constituencies and 2, non-mixed constituencies), j = 1 or 2 (1 representing the vote for BN and 2, non-BN). The log of the odds m_{ij} are set equal to parameters: α_i, the main effect of votes cast by constituency type and β_j the main effect of choice of party during voting and γ_{ij}, the interaction effect between constituency votes and party choice.

The log-odds may thus be represented by logit

$$L = \ln (m_{i1} / m_{i2}) = (\alpha_i + \beta_j + \gamma_{i1}) - (\alpha_i + \beta_j + \gamma_{i2}) = (\beta_1 - \beta_2) + (\gamma_{i1} - \gamma_{i2}) \ldots(2)$$

which expresses the difference in voting outcome, i.e., β_j j =1,2 whether BN or opposition on the basis of different in constituency types γ_{ij} i = 1,2, whether mixed or non-mixed. It is possible to interpret the logit in terms of probabilities by the transformation:

$$p_{ij} = 1 / (1+e^{-L}) \text{ or in terms of odds-ratio } e^{L} \ldots\ldots(3)$$

Applying the model to the data set found in Table 5 logits, probabilities, odds and odds ratio obtained are given in Tables 6 to 8.

The above tables seek to show contrasting scenarios by comparing mixed constituencies with *bumiputera* majority constituencies, *bumiputera* absolute majority constituencies and *bumiputera* minority constituencies. The probabilities, odds and odds-ratios obtained are derived from equation (3).

It can be observed that the probability of a voter in a mixed constituency voting BN in 2004 was 69.6 per cent and 60.1 per cent in 1999. In terms of odds, the voter in a mixed constituency indicated 2.3 to 1 odds of voting BN in 2004 and 1.5 to 1 odds in 1999. These

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TABLE 6

Logits, probabilities, odds and odds-ratios mixed against *bumiputera* majority and *bumiputera* minority category voting for BN in 1999 and 2004

Logits	**2004**	**1999**
Mixed constituencies	0.8306	0.4107
Majority and minority	0.4193	0.1823
Probabilities	**2004**	**1999**
Mixed constituencies	0.6965	0.6013
Majority and minority	0.6033	0.5454
Odds	**2004**	**1999**
Mixed constituencies	2.29	1.51
Majority and minority	1.52	1.20
Odds-Ratio	1.51	1.26

Odds-ratio 2004 to 1999 mixed=1.52; Majority and minority=1.27

TABLE 7

Logits, probabilities, odds and odds-ratios, *bumiputera* minority against *bumiputera* majority and mixed category voting BN in 1999 and 2004

Logits	**2004**	**1999**
Minority constituencies	0.0174	0.0298
Majority and mixed	0.66	0.303
Probabilities	**2004**	**1999**
Minority constituencies	0.5043	0.5074
Majority and mixed	0.6593	0.5752
Odds	**2004**	**1999**
Minority constituencies	1.02	1.03
Majority and mixed	1.93	1.35
Odds-Ratio	0.53	0.76

Odds-ratio 2004 to 1999 Minority=0.99; Majority and mixed=1.43

numbers are higher than in *bumiputera* majority or *bumiputera* minority constituencies, which recorded a combined probability of voting BN of 60.3 per cent in 2004 and 54.5 per cent in 1999. To compare the relative performance between constituencies in the mixed category and those in the non-mixed categories, odds-ratios were

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TABLE 8
Logits, probabilities, odds and odds-ratios comparing *bumiputera* majority against *bumiputera* minority and mixed category voting BN in 1999 and 2004

Logits	**2004**	**1999**
Minority constituencies	0.5307	0.222
Majority and mixed	0.612	0.3127
Probabilities	**2004**	**1999**
Minority constituencies	0.6296	0.5553
Majority and mixed	0.6484	0.5775
Odds	**2004**	**1999**
Minority constituencies	1.70	1.25
Majority and mixed	1.84	1.37
Odds-Ratio	0.92	0.91

Odds-ratio 2004 to 1999 Majority=1.36; Minority and mixed=1.35

calculated. In 2004, the odds-ratio was 1.5 to 1 for mixed constituencies over non-mixed constituencies in favour of BN. However, the likelihood of the voter voting for the BN in 1999 indicated an odds ratio of 1.2. This suggests that there were much better odds in favour of the BN in 2004 compared to 1999 in both types of constituencies, particularly in mixed constituencies.

The above voting behaviour contrasts with the trend in *bumiputera* minority constituencies where the probability of voting BN was 50.4 per cent in 2004 and 50.7 per cent in 1999. Expressed as odds, the numbers are 1.0 to 1 in 2004 and 1.0 to 1 in 1999 indicating that, in straight contests between BN and Keadilan and between BN and PAS, and BN and DAP, the vote could go either way. In calculating the odds-ratios between *bumiputera* minority constituencies and the non-mixed constituencies, the figure 0.5 to 1 and 0.8 to 1 for 2004 and 1999 were obtained indicating a general underperformance by BN in both years. The odds-ratios comparing 2004 and 1999 turned out to be 0.99 to 1 in *bumiputera* minority constituencies and 1.4 to 1 in mixed and *bumiputera* majority constituencies combined. These ratios show a marginal decline in BN's performance in the two elections in *bumiputera* minority constituencies but a much better outcome among

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the mixed and *bumiputera* majority constituencies combined over the two elections.

The situation in *bumiputera* majority constituencies (both high and absolute majority categories) indicated a stark increase in voting BN in 2004 where the probability was 63 per cent contrasting with the much lower 55.5 per cent in 1999. Expressed in terms of odds they were thus 1.7 to 1 in 2004 and 1.25 to 1 in 1999. To gauge how the odds in *bumiputera* majority constituencies faired relative to mixed and *bumiputera* minority constituencies combined, the weaker odds of 0.92 in 2004 and 0.91 in 1999 indicates the BN had performed better albeit marginally in both elections in the *bumiputera* majority category.

The foregoing analysis shows the BN performing much better in mixed constituencies and slightly better in *bumiputera* majority constituencies, thus, confirming the importance of the mixed constituencies for BN's victory. The outcome was unpredictable in the *bumiputera* minority category where probabilities of voting BN in both elections were 50 per cent. The hiatus between the elections of 1999 and 2004 shows the BN performing generally better, the exception being in *bumiputera* minority areas where the odds ratio in favour of the BN had fallen marginally.

The 1999 elections were contested in an atmosphere where the government was facing some of its most serious political setbacks. Mahathir's sacking of, and subsequent arrest and imprisonment of the then Deputy Prime Minister and Minister of Finance, Anwar Ibrahim in 1997 had helped ignite the *reformasi* (reformation) movement in the country. Drawing inspiration from the *reformasi* campaign in Indonesia, it likewise pressed for greater democratization at home.

Malaysia had begun to make tentative steps toward economic recovery after being badly hit by the 1997 Asian financial crisis triggered by the devaluation of the Thai baht. The Anwar corruption and sodomy trials, which began in 1998, were seen by many as making a mockery of the judiciary and smacking of executive interference in the judicial process. Against this backdrop, it was not surprising that non-BN — in particular the BA — was bullish of its chances in the parliamentary elections as was indeed confirmed by the election results.

The elections — though won by BN — was an endorsement (if only of sorts) of BA's *reformasi* campaign which managed to secure 43.3 per cent of the popular votes. The BN on the other hand saw its share decline to 56.6 per cent. The BA was particularly successful in capturing a significant proportion of the ethnic votes cast in *bumiputera* (particularly Malay) majority constituencies and *bumiputera* minority constituencies. The principal gainers were PAS and DAP while

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Keadilan led by the wife of the imprisoned Anwar made an impressive first showing, winning 11.4 per cent of the popular votes.

That BN was able to, in spite of the formidable challenge posed by the opposition, win two-thirds of seats in parliament stemmed from the crucial role played by voters in mixed constituencies.

If in 1999 the *reformasi* movement had mounted a major challenge to the BN, that movement's impact appears to have been muted in 2004. Factors such as adverse effects of globalization on jobs, terrorist threats, the ongoing separatist movement in southern Thailand which did much damage to properties and loss of lives, the Bali bombing in October 2002 and consequent loss of tourism to Malaysia as well as the counterterrorism campaign against the Al-Qaeda linked Jemaah Islamiyah undoubtedly played a role in attracting support for BN, helping to recoup some of the ethnic vote. But it was in *bumiputera* majority and *bumiputera* minority constituencies that BN faced stiffer contest from non-BN ethnic-based parties — particularly from PAS. The departure of Mahathir from the political scene and subsequent appointment of Badawi as his successor appears to have had a positive effect on UMNO unity, sealing, if only temporarily, the gaping chasm created by factionalism. Mahathir's leadership had been blighted by bitter in-fighting, manifesting in UMNO's poor showing in the 1999 elections.

Within BN, Mahathir's orchestration of the departure of Ling Liong Sik as president of the MCA, a senior member of the coalition, allowing a younger group of leaders to take over the helm, helped contain elite factionalism. This intervention together with the push to introduce English as the medium of instruction in teaching maths and science in primary and secondary schools was warmly received by Chinese and Indian sections of the electorate, not withstanding initial reservations of Dong Zhiong, the Chinese education lobby. The impact of the above issues among Malay and Chinese voters has boosted BN's popularity. In addition, the deficit spending strategy adopted by Mahathir's administration in the wake of the 1997 slump and higher petroleum output allowed the government to continue to stimulate economic growth, contributing to an economic turnaround. The government went to the polls with the image of a successful crisis manager appeasing concerns, principally among Malays, over the adverse impact of globalization on socio-economic advancement.

The BN's impressive gains in mixed constituencies in 2004 through the strong anti-communal vote were crucial in ensuring it secured two-thirds majority in parliament. The implications of this once again affirms the salience of mixed constituencies for BN in future elections. The fact that BN has done well in *bumiputera* majority constituencies

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indicates that it will now have to deliver the economic goods to the constituents. Badawi's pre- and post-election focus on rural development appears to be geared to this end since any shortcomings in this regard can be expected to have repercussions for BN's support in future elections.

Conclusion

BN has won two-thirds majority in all parliamentary elections since its debut in the 1974 general election. If the 1999 parliamentary elections presented a major challenge to BN supremacy, the results of 2004 would indicate that the euphoria surrounding the *Reformasi* movement and struggle for greater democracy and social justice has fizzled out.

The overall increase in the total number of contested parliamentary seats from 193 in 1999 to 219 in 2004, the majority of which were in mixed constituencies, worked to BN's advantage. Overall, the BN won 90.4 per cent or 198 seats in 2004 while the non-BN share dropped to 21 seats, representing a decrease of 46.6 per cent from the 45 seats it controlled before parliament was dissolved.

The ruling coalition managed to do better in *bumiputera* majority constituencies while its performance in *bumiputera* minority constituencies was lacklustre, indicating that ethnic-based concerns continue to inform the electorate. In mixed constituencies anti-communal voting greatly helped BN. To be sure, the elections confirmed that locality, temporality (the intervening period between elections), the creation of new constituencies and first-past-the-post electoral system in Malaysia have in the main worked to BN's advantage to secure a comfortable two-thirds majority. The BN's 2004 electoral victory can also be interpreted as a form of endorsement of the UMNO-led coalition government's socio-economic policies to promote stability and pluralism in multi-ethnic Malaysia.

NOTES

1 All component parties in BN see themselves as representing particular ethnic groups. Parties such as the Peoples Progressive Party (PPP) and Gerakan tend to see themselves as multiethnic despite the fact that they tend overwhelmingly to contest in non-Malay constituencies and party membership is almost exclusively monoethnic, i.e. from the non-*bumiputera*. The BN presently is composed of 15 political parties. Although UMNO (United Malays National Organization) is the leading member of the National Front, consent from all component members is required on issues pertaining to new membership.

2 See *the Star*, 11 March 2004.

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3 Non-BN has two components: (i) the loose election alliance called BA which in 1999 consisted of DAP, KeADILan, PAS and PRM; in 2004 DAP pulled out of BA, while Keadilan and PRM were merged to become Parti Keadilan Rakyat Malaysia; and (ii) other political parties of which six contested in the 2004 elections. Malaysian election laws require a minimum of seven political parties for registration as a coalition. Taking BN as a single political party, a total of 10 political parties (including independents) contested in the 2004 parliamentary elections. In 1999, 14 political parties were members of BN; the Sabah-based PBS (Party Bersatu Sabah, Sabah United Party) although a member of BN from 1986 to 1990, left the national coalition to be readmitted in 2003. Taking BN as a single political party, a total of 11 political parties (including independents) contested in the 1999 parliamentary elections.

4 These four parties are major components of non-BN. PAS' ideology is to create a theocratic state along the lines of Iran. The party until recently barred women from participating in politics and even holding high public posts, viewing it as encouraging inter-sexual competitiveness and going against the grain. Keadilan, which was formed in 1998 after the sacking of former Deputy Prime Minister Anwar Ibrahim, is led by his wife Dr Wan Azizah. Its political aims remain fuzzy but generally centre on a multiracial platform promoting tolerance, justice, greater accountability and transparency in governance. PRM is led by a former academic Dr Syed Husin Ali and fights for social democracy. DAP is multiracial although Chinese-dominated and fights on a platform of equality, abolishing ethnic politics and ethnic discrimination to create a "Malaysia for Malaysians". Notwithstanding this, the BA is a loose alliance, component members compete with each other in the polls thereby splitting non-Front votes.

5 The Alliance, formed in 1955, has its roots in pre-independence Malaysia and is a coalition of ethnic-based parties such as the Malayan Chinese Association (MCA) which became the Malaysian Chinese Association after the formation of Malaysia; the Malayan Indian Congress (MIC), which became the Malaysian Indian Congress, and the United Malays National Organization (UMNO), which retains its name despite having non-Malay indigenous peoples from the East Malaysian state of Sabah among its membership.

6 Ratnam and Milne, 1970, p. 221.

7 The term *bumiputera* refers to the Malays, the tribal groups in peninsular Malaysia, and the indigenous groups of Sabah and Sarawak. Under the country's Federal Constitution the *bumiputera* are singled out in terms of privileged access to jobs in the public sector, scholarships, and business licences. The non-*bumiputera* who are denied such privileges comprise ethnic Indians, ethnic Chinese, and the "others" precluded from the two categories such as Sri Lankans, Eurasians, etc. See Article 153 and Article 161a of the Malaysia Federal Constitution in Legal Research Board, *Federal Constitution* (Kuala Lumpur: International Law Book Services, 1995).

8 See press reports, the *New Straits Times*, 23 March 2004 and 24 March 2004 on complaints made by the electorate on not being able to vote in assigned polling centres as well as the responses of Election Commission officials.

9 This model was developed with the assistance of Chan Huan Chiang and Long Jet Heng from the Centre for Policy Research. The application of this model to election data in Malaysia is in accordance with the fact that voters are not randomly distributed, but rather different categories of electorate indicate relative differences in ethnic composition as seen in Table 4. This model allows too for a more sophisticated application of the election data, rather than inferences based on simple calculations of percentage changes.

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Contemporary Southeast Asia 27, no. 1 (2005): 64–79 ISSN 0219-797X

The 2004 Ba' Kelalan By-election in Sarawak, East Malaysia: The Lun Bawang Factor and Whither Representative Democracy in Malaysia

ARNOLD PUYOK

In Malaysia, democracy is generally interpreted in electoral terms. Arguably, the current electoral system in Malaysia denies ordinary people their rights to elect their preferred representatives and contributes to the erosion of democracy. The 2004 Ba' Kelalan by-election is a demonstration of the above predicament. This article argues that irregularities in the conduct of the by-election demonstrate how democratic rights had once again been denied. The article also shows how the Lun Bawang community plays a pivotal political role in determining the balance of power among the ethnic groups in Sarawak.

Introduction

In Malaysia, a by-election is held when a constituency falls vacant because of the death of the incumbent; disqualification (of a sitting incumbent) upon transgressing a law; or resignation (Jawan 2003). In 2004, after the general election, the nation witnessed another two crucial elections in Terengganu and Sarawak. The Kuala Berang by-election in Terengganu was conducted after its incumbent, the late Kamaruddin Abdul Rahman, died of a heart attack on 30 July while the by-election in Ba' Kelalan was held after the death of Dr Judson Sakai Tagal, the two-term assemblyman of the geographically remote constituency. These by-elections reflect Malaysia's parliamentary democratic process, which grants people the right to choose their leaders to represent them at the state and federal levels. Unlike the Kuala Berang by-election, that in Ba' Kelalan was unique because the

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constituency is home to no less than five ethnic groups (with the Lun Bawang and Kelabit making up the majority) and the fact that this was the first time the Ba' Kelalan constituents had the opportunity to exercise their democratic rights.

The Ba' Kelalan constituency was formerly part of the Lawas state constituency. During the delineation exercise in 1995, Ba' Kelalan was removed from Lawas and made into a new seat. The Ba' Kelalan constituency has a total of 7,696 registered voters with 70 per cent of them Orang Ulus (Lun Bawang/Kelabit), 1.2 per cent Chinese, 0.8 per cent Bidayuh, 0.9 per cent Malay/Melanau, and 0.1 per cent others.[1] It is situated deep in the interior of Sarawak and relatively inaccessible. Presently, the only convenient mode of transport to the area is by air. The constituents in Ba' Kelalan have never voted for their leader before because the late Judson Sakai won uncontested for two consecutive terms in 1996 and 2001. Thus, the by-election provided the opportunity for the constituents to exercise their right to vote. After the Malaysian Election Commission (EC) announced that a by-election would be conducted in Ba' Kelalan, there was an anxious wait for the possible candidates to replace Dr Sakai, regarded by many as a respected and committed leader. The selection of candidates in the by-election became an issue in the media. First, on the Barisan Nasional (BN) side, party lobbyists came up with several names, which included highly educated Orang Ulu professionals; second, at the party level, senior leaders proposed no less than five names; and third, at the grassroots, there was a strong indication that the constituents wanted someone who was of the calibre and had the "midas touch" of Dr Sakai.

As expected, in the Ba' Kelalan by-election, the politics of development resurfaced amidst the gradual decline of Dr Mahathir Mohamad's influence in Malaysia's mainstream politics. At the beginning of the campaign period, leaders from BN and the opposition moved in and out of Ba' Kelalan, trying to obtain as many votes as possible. BN's platform of developing Ba' Kelalan and improving its socio-economy helped the party to obtain more votes from the largely Christian constituents. Unexpectedly, as rumours spread that the BN candidate would win the by-election, a prominent Lun Bawang lawyer turned up and offered himself as an independent candidate. Unlike the BN candidate, the independent candidate seemed to rely on native customary land rights as an alternative platform to the politics of development propagated by the former. The Ba' Kelalan by-election was not a "clash" between two Lun Bawang personalities per se, rather, it was a question of whether the politics of development would be able to break the social cohesion of the Lun Bawang and Kelabit communities. To reiterate, the Ba' Kelalan by-election was unique

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because of two reasons: (i) it tested Malaysia's representative democracy,[2] which allows the people to choose a leader that they want to represent them; and (ii) it would determine whether the Ba' Kelalan constituents would vote for a candidate who relied on the politics of development and a vast network with other BN parties across Malaysia or a candidate whose ideals rested on strong religious beliefs and a concern for social justice.

The Parties and Candidates

From the announcement that there would be a by-election in Ba' Kelalan, political parties across Sarawak, especially the BN state-based parties, had proposed possible candidates. In the wake of all of this, all eyes were directed at SPDP (Sarawak People's Democratic Party), a party in which Dr Judson Sakai had been secretary general. It was said that the SPDP candidate would be someone from the party's inner circle. Mawam Ikom, the SPDP president and Sarawak's Minister of Social Development and Urbanisation, had his own list of candidates. The SNAP (Sarawak National Action Party), an opposition party, declined to reveal its possible candidate until a few days before polling day, when it announced its decision to withdraw from the by-election. Other Sarawak BN component parties such as PBB (Parti Bangsa Bersatu) and PBDS (Parti Bangsa Dayak Sarawak) all rallied behind the BN candidate.

The BN's Choice but not the Constituents': The Politics of the Selection Process

It is necessary to look at the selection process at different levels: at the top level (the BN coalition level), at the party level (within the party that the incumbent and BN candidate both belong to), and at the grassroots level (the people of Ba' Kelalan). At the top, Abdul Taib Mahmud, the present state BN chief and Chief Minister of Sarawak, had made it clear that Nelson Balang, Judson Sakai's political secretary, was the right choice to represent the Ba' Kelalan constituents as he had vast knowledge of the area and its people. But according to some observers, Nelson Balang was chosen by the BN leadership because, "(he) is less independent in thinking and would not mind running errands".[3] Nelson Balang, also the SPDP youth chief, was seen by the BN leadership as someone who was non-combative and willing to bow to pressure from the BN leadership. At the party level, SPDP president Mawam Ikom had proposed a few names and Nelson Balang

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was said not to be included in the list at all. The SPDP was said to have favoured Bob Baru, a Miri-based dentist, as the possible candidate.[4] (This clearly shows that Nelson Balang was not only unpopular with the grassroots but also within the SPDP.)

Another professional Orang Ulu, Roland Mattu, a Miri-based gynaecologist, was also mentioned as a possible candidate.[5] However, the BN leadership rejected Mawan's suggestion and insisted on choosing Nelson Balang. The SPDP favoured Bob Baru because he is highly qualified and well-liked by the Ba' Kelalan constituents. But it was said that Baru was not well received by the BN leadership because of his strong Christian background, which according to some observers, could affect the status quo of Sarawak politics, led by Abdul Taib Mahmud.[6] Nelson Balang's selection was also endorsed by other state BN senior leaders such as Awang Tengah Ali Hassan who persistently informed the media that Taib Mahmud had shown a strong preference for Nelson Balang.[7] Another possible candidate was Mutang Tagal, Judson Sakai's younger brother who had shown interest. However, Dr Roland Mattu, although said to be highly educated and of good potential, was not that "popular" among the Ba' Kelalan constituents while Mutang Tagal, already a former two-term state assemblyman under the PBB platform, had received lukewarm support.

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At the grassroots level, it seemed that the people preferred someone who had the "touch" of the late Judson Sakai; someone who was approachable and humble; and most importantly, someone who was committed not only to bringing material development in Ba' Kelalan but also spiritual dividends. The SPDP branch leaders in Ba' Kelalan had been lobbying for Bob Baru to contest after learning that the grassroots had indicated their support for him.[8] Finally, after much speculation, Nelson Balang was picked as the Ba' Kelalan BN candidate. Although some of the SPDP senior leaders were not satisfied with the decision, they had no choice but to accept. Clearly, the selection of the BN candidate was not based on the constituents' wishes but determined by BN leaders. In this respect, Awang Tengah Ali Hassan and Alfred Jabu, Abdul Taib Mahmud's staunch allies, had successfully influenced the latter to accept Nelson Balang, at the expense of SPDP and the Ba' Kelalan constituents.

The Independent Candidate: An Alternative Voice?

The lawyer who contested as an independent, Kuching-based Baru Bian, was regarded to have received considerable support from the Lun Bawang community. When asked later by the press why he wanted

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to contest in the by-election, Baru Bian claimed that he was moved by pleas from various quarters, including the Ba' Kelalan constituents themselves, to represent them. He also noted that a considerable number of the constituents in Ba' Kelalan did not favour Nelson Balang. Baru Bian, a PBDS supreme council member, decided to relinquish his party post from the bewildered PBDS with immediate effect after announcing his intention to contest as an independent.[9] Baru Bian is not new to Sarawak politics. In 1999, he contested on the PBDS ticket against PBB's Awang Tengah Ali Hassan in the Lawas constituency. However, in the one-to-one fight, Baru Bian lost by 3,643 votes to Awang Tengah Ali Hassan.[10]

Baru Bian is hugely popular among some sections of the Lun Bawang community in Ba' Kelalan. He is well-known for his handling of cases involving native customary land rights. A Lun Bawang professional, who wished to remain anonymous, said that Baru Bian is well-liked among the Lun Bawang community because he is a man of strong principles and exceptional faith.[11] According to this source, Baru Bian had "real issues" to bring forward, particularly those involving native customary land rights. She said the Ba' Kelalan constituents, particularly customary landowners, had been deprived of their rights to officially acquire those lands. Property developers frequently used their lands without proper compensation and benefits. As for Nelson Balang, she said that the one-time unsuccessful businessman and former political secretary to the late Judson Sakai could use his position to pursue his intentions, using whatever ways and means. She also claimed that the young constituents in Ba' Kelalan preferred Baru Bian to Nelson Balang as the former has better academic qualifications. Another Lun Bawang professional, offered a different point of view.[12] She said that, athough most Ba' Kelalan constituents preferred Baru Bian, they had no choice but to back the BN candidate for the sake of development. She noted that Baru Bian was a capable leader and more charismatic than Nelson Balang. But being an independent without a party platform, she said it would be difficult for Baru Bian to bring development to Ba' Kelalan; not because he was incapable but because he lacked the financial resources. She said that the Ba' Kelalan constituents would surely vote for the BN no matter who the candidate was for the sake of development in Ba' Kelalan.

Apart from Baru Bian, another prospective independent candidate Wilson Lio Apoi, also showed his interest in contesting. Wilson Lio claimed that he believed he could make a difference in the by-election because of the support he obtained particularly from Bario and Lawas. However, after many twists and turns, Wilson Lio's candidacy was rejected by the returning officer. Other aspiring

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candidates such as Frank Samuel Agong, Mohamad Brahim, also had their nomination papers rejected on technical grounds.[13] As for Baru Bian, the sudden withdrawal of Wilson Lio and the absence of other candidates gave him the opportunity to garner more votes from Ba' Kelalan constituents who wanted to support an independent candidate. As soon as the news spread that Baru Bian would be challenging Nelson Balang in a one-to-one fight, an alleged SMS (Short Messaging System) campaign was launched among the grassroots to boost Baru Bian's popularity.[14]

Whither Peninsula-based Opposition Parties?

Opposition parties in peninsular Malaysia seemed to shy away from the by-election. The DAP (Democratic Action Party) did not want to get involved in the election. This was confirmed by its state liaison chairman, Wong Ho Leng.[15] According to Wong, the people in Ba' Kelalan needed a different kind of voice to break BN's hegemony. However, he felt that the opposition's presence in the Ba' Kelalan by-election was still needed. This was echoed by Sarawak DAP deputy chairman Chiew Chin Sing who remarked that the Ba' Kelalan by-election was a good opportunity for Sarawakians "to be represented by an alternative voice as BN lawmakers has [sic] already a dominant control over the state legislative assembly".[16] He further noted that in a democratic country like Malaysia, "there is an equal need for the existence of government and opposition to spur the development of the country".[17]

The one-to-one fight between Nelson Balang and Baru Bian could be considered as a fight between two close friends with different agendas. While Baru Bian was banking on the support he obtained from the Lun Bawang professionals and grassroots, Nelson Balang, on the other hand, was depending on continuous support from the top BN leadership and a strong campaign machine associated with the politics of development.

The Issues

The politics of development[18] gains currency whenever elections take place in Malaysia. When Dr Mahathir Mohamad became the prime minister, the terms "progress" and "development" were embedded in the minds of all Malaysians regardless of religious, cultural and educational backgrounds. Malaysians are taught to value progress and modernity. As Mahathir pushed Malaysia to become a developed

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country, "development" became popular and has been a catch-phrase among people from all walks of life. As such, people are made to believe that only the ruling party, BN, can provide development to urban and rural areas. In the case of the Ba' Kelalan by-election, development issues were once again brought to the fore. The BN candidate, Nelson Balang, vowed to continue bringing "progress" to Ba' Kelalan, a vision which had been laid out earlier by Judson Sakai. This included improving the water and electricity supplies, and better roads to the constituency. While Nelson Balang's developmental rhetoric seemed to be unconvincing, other state BN leaders such as Alfred Jabu and Awang Tengah Ali Hassan had travelled to as far as Lawas, the northern Sarawak territory, to convince people that only BN could bring progress and development. Alfred Jabu, in particular, is quoted as saying that "the voters in Ba' Kelalan should know that only the BN can bring continuous development (to them)".[19] Echoing Alfred Jabu, Awang Tengah Ali Hassan, who is a senior minister in Abdul Taib Mahmud's cabinet, was quoted as saying that "an independent candidate would not be able to bring change in Ba' Kelalan".[20]

Material and Spiritual Development

Between the two candidates, Nelson Balang seemed to be better placed to woo voters because of his vast influential BN network with all the resources he needed to intensify his campaigning in Ba' Kelalan. During Judson Sakai's tenure as Ba' Kelalan assemblyman, the constituents had enjoyed slightly better road conditions (although some roads are still inaccessible by small motor vehicles) and electricity supply. Nelson Balang, in his campaigns, reminded the voters that without BN, these improvements would not continue. The other state BN leaders, in particular Alfred Jabu and Awang Tengah Ali Hassan, also reminded the constituents that choosing the independent candidate would mean severing "good ties" with the government.[21] Looking at Balang's advantages, observers noted that he could easily influence the voters' minds and "force" them to vote for BN. The older Ba' Kelalan constituents in rural areas have longed for development to reach them: for Nelson Balang, this was an advantage.

The independent candidate Baru Bian, on the other hand, viewed development differently. He equated development with the spiritual and mental development of the people, which according to him are equally important and should not be neglected by the BN government. He said that the BN government should be responsible to the people notwithstanding political alliances. Baru Bian said that he was not

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against the BN government when he decided to contest, as he was merely providing an "alternative voice" for the people because he knew that Nelson Balang was not well accepted by the grassroots. According to Baru Bian, land rights and land acquisition were equally important to the development issues that the BN candidate was emphasizing during the campaign. A devout Christian, Baru Bian said that the Ba' Kelalan constituents should not be talked to about the importance of gaining material and physical development alone; he also insisted that, "We stand to defend our right to decide who we want, for all the good that God has taught us, for honesty and integrity. This is more important in our teaching that material wealth and possession. Our faith has taught us that man shall not live by bread alone".[22] Thus, Baru Bian had a chance as well to influence voters particularly those who were sympathetic to his religious outlook. As the Lun Bawang are mostly staunch Christians, there was a possibility that older Ba' Kelalan constituents, particularly those attached to Sidang Injil Borneo/Borneo Evangelical Mission (SIB), would vote for him.[23]

The Results

As expected by many, the BN candidate Nelson Balang won the by-election by a majority of 1,452 votes. Nelson Balang obtained 2,843 votes compared to the independent candidate Baru Bian's 1,391 votes.[24] In term of percentage, Nelson Balang managed to obtain 64 per cent of the votes while Baru Bian gained 36 per cent.[25] There were 79 spoilt votes out of a voting percentage of just 56.64 per cent from the 7,696 registered Ba' Kelalan voters.[26] This means only about 3,843 of the Ba' Kelalan constituents cast their votes. Some parties blamed the weather for the low voter turnout while others blamed the EC for imposing a very short polling and campaigning period. The by-election results (Table 1) show that there is a gap between older and younger Ba' Kelalan constituents. The younger Ba' Kelalan constituents felt that Baru Bian was an ideal candidate to represent Ba' Kelalan because of his academic qualifications and reputation as a prominent lawyer who had been championing customary land rights.

As shown in Table 1, older voters who are permanently residing in Ba' Kelalan voted for the BN candidate. As mentioned before, older constituents in the area tend to want development to be implemented as they consider that Ba' Kelalan lags behind other constituencies in Sarawak. Older Ba' Kelalan constituents tend to think that only BN with its massive funds is capable of delivering development. They see a cash-strapped and "unresourceful" independent candidate as incapable

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of bringing any development. A difference in voting patterns also exists among the multiethnic Ba' Kelalan voters. The Kelabit, known to be strong BN supporters, voted for Nelson Balang while the Lun Bawang, who are culturally similar to the Kelabit, voted for Baru Bian. Other ethnic groups seemed to vote for the BN candidate. The by-election results also show a geographical pattern of voting for BN and the independent. For example, Bario, Limbang, and Medamit areas, which are predominantly Kelabit areas with a small number of Lun Bawang, are now known as BN areas. Other areas especially those situated in the interior of Ba' Kelalan are closely associated with the independent candidate.

With the by-election victory, BN in the state of Sarawak as a whole remains strong with 61 seats compared to the opposition with just one seat. After the by-election, Nelson Balang vowed to continue the legacy of the late Judson Sakai. Alhough Baru Bian accepted his defeat "in the spirit of sportsmanship",[27] he also promised the people that he would continue with his struggle to defend their land rights. Undeterred by his defeat, Baru Bian said he was willing to wait for the upcoming state election, due in 2006.

Conclusion

It is obvious from the results of the Ba' Kelalan by-election that development is an important issue. The older generation seems to be realistic about development. Development to them is something that can be seen and used. They believe that only BN can deliver the goods. As for the younger generation, they are more critical, if not ambivalent about development, that is, although BN won the by-election, if a leader does not perform, "development" would be meaningless. More importantly, the by-election also contributed to the rise of young, well-educated Orang Ulu (particularly from the Lun Bawang community) who are sceptical about bringing development to Ba' Kelalan overnight. These young professionals are quite idealistic. For them, development should not be seen in terms of physical and infrastructural development alone. The Ba' Kelalan by-election created huge gaps between the older and the younger, educated voters. Each group had different aspirations, concerns, and needs, summarized in Table 2.

Another important impact of the by-election was the formation of two ethnic "blocs" among the Ba' Kelalan constituents. The Lun Bawang seemed to support the independent candidate while the Kelabit, already well known for their strong support of BN, supported the BN candidate. According to various newspapers reports, it is

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TABLE 1
A summary of the Ba' Kelalan by-election results

Candidate/Party	*The by-election results examined*				
	Votes polled	*Percentage (%)*	*Core voter (age difference)*	*Core voters (ethnic group)*	*Areas where most votes obtained*
Nelson Balang (SDPD)	2,452	64	Older voters. Voters who permanently live in Ba' Kelalan	Kelabit, Malays, and a small number of Lun Bawang who are closely related to Balang	Bario, Limbang, Medamit
Baru Bian (Independent)	1,391	36	Younger voters. The "nomadic" voters who are educated and live in towns	Lun Bawang, and a small number of Kelabit especially those aligned to Baru's ideals	Long Tuma, Long Luping, Long Sebangang

SOURCE: Adapted from various newspaper reports from 8 to 20 September 2004. Refer to the *Borneo Post* from 8 until 20 September 2004 to learn more about the by-election results.

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obvious that the Lun Bawang particularly from Long Tuma, Long Sebangang, Long Semado, and Long Luping voted for Baru Bian while the Kelabit in Bario supported Nelson Balang.[28] The other ethnic groups such as the Malays, Ibans, and Tagals also gave their support to the BN candidate.[29]

Obviously, the by-election in Ba' Kelalan, as mentioned earlier, has also contributed to the rise of dissenting young, well-educated Lun Bawang who disapproved of the BN's choice of candidate. They voiced concerns that Nelson Balang was not the right person to represent Ba' Kelalan because they wanted someone who was not just highly educated but also well received by the grassroots. Nelson Balang's selection was seen by these younger urban voters as against the wishes of the majority and the SPDP leadership.

There are many lessons that can be learnt from the Ba' Kelalan by-election. For the victorious party, it is obvious that the older constituents want the government to give them development fast. And as promised by the BN candidate in his campaigns, he should not take the people's wishes for granted and must strive towards bringing the necessary development to Ba' Kelalan. Independent or non-BN supporters should not stop with their struggle to justify their causes, some of which may still be relevant to some Ba' Kelalan constituents. Another important aspect that should not be neglected is the Malaysian government's wish (under the leadership of Prime Minister Abdullah Ahmad Badawi) to create a civil society based on the principles of good governance and transparency. However, this did not happen in the Ba' Kelalan by-election. One can clearly see how unfair the selection of the BN candidate to represent the Ba' Kelalan constituents was. The principle of representative democracy has always been "(an exercise) by which free men exercise their rights through free association ... (i)n the process, they elect among themselves members to represent them" (Jayum 2003). In the context of the Ba' Kelalan by-election, the "members" (aptly the constituents) did not have the opportunity to elect their preferred representative as it (the process of electing a suitable candidate) was determined by BN.

On the one hand, one could question the conduct of political leaders who hurled false claims and accusations against each other in order to influence the voters. On the other hand, one could also question the integrity and maturity of several politicians who relied heavily on issues such as development, which, unfortunately, were imperfectly argued and shallowly delivered.

This article ends by proposing several suggestions for future similar elections that involve typically multiethnic, multireligious and geographically difficult constituencies in Malaysia, such as Ba' Kelalan:

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TABLE 2
Differences in aspirations, concerns, and needs lead to huge gaps in the Ba' Kelalan vote

Ba' Kelalan constituents from different demographic (age & educational attainment) backgrounds	*Where does the gap occurs?*		
	Aspirations (what they need the candidate to do for them and their constituency)	*Concerns (what have been their concerns about Ba' Kelalan)*	*Needs (what they need fast)*
Older Constituents	Need someone who can bring development fast/overnight	Ba' Kelalan is still lagging behind. More infrastructural development is needed to develop Ba' Kelalan. Believe that only the BN can bring development.	Ba' Kelalan needs better roads, electricity, and facilities to expedite agricultural businesses
Younger and well-educated constituents	Need someone with better academic qualifications/ someone who is independent in thinking and can make decisions fast/someone who is of high calibre with strong religious background	That Ba' Kelalan constituents should not rely too much on outsiders to develop them. They need to find ways and means where they can initiate development on their own terms. The Ba' Kelalan constituents should not be blinded by material development.	Ba' Kelalan should be developed systematically on a gradual basis. The rights of the people (rights over their lands) must also be preserved. Further, social justice and civil society must be brought forward

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- The selection of candidates for the Ba' Kelalan by-election was not done in the spirit of democracy. The majority's wishes were ignored, let alone that of the party the incumbent formerly belonged to. In future, the government should be more sensitive towards the real wishes of the people. In selecting the appropriate candidate to contest, all views beginning from the grassroots, the party level, and the top leadership must be sought before a decision is made. The selection process should be based on two-way communication.
- BN used massive funds and whatever ways and means to influence voters. For example, BN rented four-wheel-drive vehicles to bring voters to the polling stations.[30] To be fair, the government should consider providing funds through the EC for all voters who need transport to go to the polling stations. The EC must be aware that such needs must be met. It should make sure that the contesting candidates must not use money to influence the voters. If it finds that such abuses exist, it should take all necessary actions without fear or favour. It is quite disappointing to note that the Election Commission failed to act with integrity yet again. If it continues to operate in this way, future Malaysian elections will see the rise of unscrupulous political leaders being elected, to the detriment of Malaysia's political environment.
- The mass media seemed to favour the BN leaders particularly in the course of the campaign period. For example, while the BN candidate was given wider coverage, the other BN leaders took the opportunity to promote themselves as well. The mass media was used to influence voters to vote for BN. The mass media should provide more balanced coverage, with integrity and credibility.
- The Election Commission should consider extending the polling and campaigning periods. An election is a serious matter and the Election Commission must treat it seriously. Allowing a one day polling period is not practical for Ba' Kelalan constituents who live in the interior and have to cross mountainous terrain or rivers. Similarly, the campaign period has to be long enough for the contesting candidates to reach the people. Of course, the effects were obvious on the independent candidate who had limited campaign funds and resources compared to the BN candidate.

As discussed throughout this article, the political trends in Malaysia after Mahathir's resignation have remained the same: BN maintains a high level of political supremacy over most constituencies due to its successful manipulation of the politics of development. However, amidst BN's control of the entire Malaysian political scene,

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the Lun Bawang have emerged from their sanctuary and challenged BN. This was reflected in the Ba' Kelalan by-election, which saw almost 53 per cent of the Lun Bawang voting for the independent candidate Baru Bian, to the surprise of the state BN leadership. Will the Lun Bawang make a difference in the upcoming state elections in 2006? Will they be able to erode BN's hegemony in Sarawak? This is one of the interesting sites of Malaysian politics that is much influenced by ethnic and religious considerations.

NOTES

1 *Borneo Post*, 8 September 2004.
2 There are two types of democracies around the world: direct democracy and representative democracy. Direct democracy means "everyone has the opportunity to participate in making all policy decisions" while representative democracy means "people voting to elect representatives in a free and fair electoral system". Malaysia, looking at the nature of its political system and how representatives are selected through elections, can be aptly regarded as practising representative democracy (Jayum 2003, pp. 71–81).
3 *Malaysiakini.com*, http://www.malayskini.com, accessed 4 September 2004.
4 Ibid.
5 Ibid.
6 See various works on Sarawak politics by Jayum A. Jawan (1993, 1994 and 2004). Bala (2003) observed that though Sarawak belongs to various ethnic groups, there is an obvious dominance of Sarawak politics by Abdul Taib Mahmud, who is a Melanau-Muslim, through his party, PBB. According to Bala, though the Melanau only account for about 6 per cent of Sarawak's total population, they are able to control Sarawak politics due to their religious background and close association with Abdul Taib Mahmud. This, Bala further stated, is starkly similar to UMNO's political domination at the federal level.
7 *Malaysiakini*, accessed 4 September 2004.
8 Ibid.
9 *Borneo Post*, 9 September 2004.
10 *Election Commission Report*, 1991 (Kuala Lumpur: Suruhanjaya Piliharaya Malaysia, 1991).
11 Personal communication, 15 September 2004.
12 Personal communication, 15 September 2004.
13 The returning officer for the Ba' Kelalan by-election, Abang Kipawi Abang Rosli, rejected Wilson's and Samuel's candidacies after they were found to have a seconder and proposer who were not registered in the Ba' Kelalan constituency (*New Straits Times*, 9 September 2004). See also *Malaysiakini*, accessed 9 September 2004.
14 *Malaysiakini*, accessed 9 September 2004.
15 *Malaysiakini*, accessed 7 September 2004.
16 *Malaysiakini*, 19 August 2004.
17 Ibid.
18 The politics of development is well discussed by Malaysian political scientist Loh Kok Wah (2003). He explained the (politics) of development as having "(valorised) not only economic growth, rising living standards, and the resultant consumerist

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lifestyles, but also the political stability which it necessitated, associated in the minds of most Malaysians with the BN, since the coalition had ruled the country uninterruptedly since Independence in 1957" (Loh 2003, pp. 253–82).

19 *Borneo Post*, 10 September 2004.
20 Ibid.
21 *Borneo Post*, 16 September 2004.
22 *Borneo Post*, 13 September 2004.
23 Baru Bian is in fact an elder at one of the Sidang Injil Borneo (SIB) churches in Kuching, Sarawak. Indeed the close relationship between the SIB churches with the Orang Ulu community can be traced back to the time when Charles Vyner Brooke ruled Sarawak in the late 1920s. Through the establishment of the Borneo Evangelical Mission (BEM) in 31 August 1928, Christian missionaries arrived in Sarawak to "... evangelise all tribes, and to establish an indigenous church and leadership amongst the converts" (Bala 2000). The Lun Bawang and Kelabit were among the earliest tribes to accept Christianity through the BEM missionary works. The BEM was later named SIB (Sidang Injil Borneo) with the late Racha Umong, a Lun Bawang, appointed as its first president.
24 *Borneo Post*, 20 September 2004.
25 Ibid.
26 Ibid.
27 *Borneo Post*, 20 September 2004.
28 Refer to various reports in the *Borneo Post* from 8 September until 20 September 2004.
29 Ibid.
30 Ibid.

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Contemporary Southeast Asia 27, no. 1 (2005): 80–101 ISSN 0219-797X

The 2004 Philippine Elections: Political Change in an Illiberal Democracy

JOHN L. LINANTUD

This article, based on an analysis of the 2004 elections, argues that illiberal democracy in the Philippines rests on strong foundations. On one hand, bad government, armed men, and the mainstreaming of military activism and People Power have deepened the illiberal strain of political culture since the ouster of strongman Ferdinand Marcos in 1986. On the other hand, the reassertion of democratic nationalism by prominent institutions and public opinion, and new technologies and types of representation, have reinforced a democracy that rests on relatively solid footing even though it may often appear on the brink of collapse. Public religion illustrates the complexity of these issues. If one defines "liberal" as seeking to change the status quo, the Catholic Church has become one of the country's most liberal institutions because it has challenged a frequently abusive and kleptocratic state for secure elections and basic rights.

Introduction

In such an atmosphere of fraud, I feel so disheartened and disgusted.
— Faith-based American observer on the 2004 Philippine elections (Sy and Aravilla 2004).

There was so much violence ... and people seemed to accept the fact that people got killed.
— German observer (Sy and Aravilla 2004).

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> Even with the violence and the continuing problems, we still believe that the election was credible.
>
> — Philippine National Police (*Esguerra*, 2004).

> If we could have such elections in Afghanistan, it would be tremendous.
>
> — Afghan observer (*Philippine Star*, 19 May 2004).

Who is right? Is the Philippines a democracy? This article argues yes, but only after accounting for the differences between democracy and liberalism and recognizing that democracy, while not ideal, has made considerable headway since the ouster of strongman Ferdinand Marcos. Since 1986 elections have again become the primary mechanism to determine who controls government, the fundamental characteristic of a democratic state.

Elections also reveal the values of the broader political culture. Using the 2004 polls as a window of analysis, the primary argument of this paper is that the growth of democracy has outpaced that of liberalism since 1986, an imbalance that has created illiberal democracy. Granted, a focus on elections may overlook groups that seek to bypass or leave the state, in particular Islamic separatists and non-government organizations (NGOs). Moreover, this study analyses the conduct more than the results of the voting, under the assumption that the struggle for a new political order deserves as much attention as partisan rivalry.

Illiberal democracy in the Philippines rests on strong foundations. Hardly any of the institutions or attitudes discussed in this paper are simultaneously democratic and illiberal in every sense. Yet bad government, political violence, and People Power have generally undermined due process, while the reassertion of a democratic national identity, the rejection of authoritarian government and communist revolution by public opinion, and new institutions have helped democracy rebound from the Marcos era far more quickly than has liberalism.

Religion warrants special attention. In the Philippines, the struggle between state and society centres on the Catholic Church. If one defines "liberal" as seeking to change the status quo, it has become one of the country's most liberal institutions by challenging the state for fair elections, the rule of law, and human rights. On the other hand, Church activism impedes the comprehensive realization of secular politics, one of the key components of Western theories of development. The remainder of this article attempts to buttress these ideas. First, it reviews the conceptual differences between liberalism and democracy. Second, it shows that elections have become less violent and fraudulent since

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the Marcos era. Third, it explores illiberal democracy, as evidenced by the conduct of the elections, and concludes with a summary of the national imbalance between democracy and liberalism.

Liberalism and Democracy

The observers quoted above raise legitimate questions. To seek meaningful answers, it is useful to review the often overlooked differences between liberalism and democracy. The philosophical roots of liberalism stem from the European Enlightenment's challenge to a political order dominated by a small elite of monarchs, warlords, and clergy who ruled through practices such as the divine right of kings, reasons of state, investiture, and indulgence. Democracy, which is often traced to ancient Greece and Rome, is the ability of people to govern themselves. It gained a foothold in the West at about the same time as liberalism, and since 1945 has become the West's primary method of deciding changes in state leadership.

Liberalism and democracy have progressed unevenly across different regions and issues, and are still evolving. For developing countries moving away from authoritarian rule, such as the Philippines, political change in the direction of liberalism or democracy must start at a basic level. According to the Western example, liberalism should begin with the replacement of arbitrary or ill-defined state power with "constitutional liberalism", in particular the rule of law and due process, state protection of fundamental political, human, and property rights, and the legal separation of church and state. Highly charged debate over what constitutes "fundamental" rights, of course, is part of the development of liberalism itself. At a minimum, basic political rights include assembly, speech, and protection from unlawful execution, threats, harassment, and violence. Democracy, in turn, starts with civilian government, universal suffrage, and the election of public officials, especially the national executive and legislature.

Both constitutional liberalism and democracy promise relief from lawlessness and dictatorship. In theory, liberalism strengthens democracy because questions of corruption, fairness, and individual rights help determine the legitimacy of elected regimes. In turn, democracy should strengthen liberalism by making the state accountable to the public, especially if a majority has reached a consensus on a particular issue.

But since liberalism and democracy are in fact separate, observers have imagined four ideal type regimes. First comes *liberal democracy*, where public officials must follow the constitution and elections determine who controls the state. Second is *illiberal autocracy*, the

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worst of both worlds, where a strongman or ruling clique is accountable to neither law nor the public. Third is *illiberal democracy*, where elections decide who governs, but fundamental rights and freedoms are either not fully delineated or protected. Some argue that *liberal autocracy*, the fourth option, offers the best chance for developing countries to establish a foundation of political order and the rule of law (Zakaria 2003).

The Philippines has learned to reject that formula. Indeed, many of the problems facing the country are the legacy of Ferdinand Marcos, who claimed to be a reformer after declaring martial law in 1972 but became an illiberal autocrat, largely unaccountable to the electorate and the rule of law, even after the end of martial law in 1981. Before his ouster after the disputed presidential election of 1986, politics had reached a fever pitch through high-level abuse of power, violence, communist insurgency, and popular mistrust of government.

The 2004 Elections

The 2004 elections continued the consolidation of democracy under the 1987 constitution. With approximately 17,500 positions at stake, they dwarfed the electoral regimes of neighbouring countries. The polls were the sixth for national offices since 1986, and the third consecutive for president, a notable accomplishment considering the January 2001 People Power II against President Joseph Estrada during his impeachment trial and the abortive People Power III reinstatement of Estrada weeks before the May 2001 by-elections.

Philippine elections are still unsafe: nearly 1,000 people have been killed or wounded in the last three national polls during arguments, vendettas, and assaults on partisans, candidates, and canvassers. Such incidents violate the democratic norm of popular sovereignty, the ability of citizens to choose their leaders and contest public office, and liberal norms of human rights, especially the right to live free from threats and intimidation. To deter such attacks and reassure the local citizenry, the Commission of Elections (Comelec) replaces local authorities with national officials and military officers in the most volatile "hot spots".

The 2004 polls, however, showed that election security has improved on several fronts. First, casualties have declined. In 1971, the last before martial law, over 900 people died before election day. In 1984 and 1986, the final two polls of the Marcos regime, over 300 people perished. In 2004, the death count before election day totalled 117, including 29 candidates (Papa and Esguerra 2004; Mendez and Laude 2004). Over three elections in 1998–2004, moreover, Comelec took charge of 13 provinces nationwide and 3 cities of Metro Manila,

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TABLE 1
Violence in Philippine National Elections, 1998–2004

Year	*Election*	*Violent Incidents*	*Casualties*	*Casualties per 1,000 Elected Positions*
1998	Presidential	269	229	13
2001	By-election	267	404	23
2004	Presidential	192	329	19
Total		728	962	

SOURCES: *Manila Bulletin*, 20 May 2004, p. 12; PNP News Release No. 04-0508 "PNP Assures No Disruption of Canvassing", 25 May 2004, http://www.pnp.gov.ph, accessed on 12 July 2004.

NOTES: The by-election included half the Senate, the full House of Representatives, and regional and local offices. Casualties include dead and wounded. Each election filled about 17,500 positions, the figure used for column five.

The 2004 elections decided the presidency, 12 of 24 Senators, 24 party list and 212 single-member district House seats, 79 Governors, about 1,600 mayors and vice-mayors, and thousands of positions on provincial, town, and neighbourhood councils.

The Philippine National Police (PNP) classifies election incidents separately from criminal, personal, and insurgent acts and publishes updated statistics throughout an election though the press often fails to specify the phase in question. For the 2004 elections, candidate filing began in December 2003, the presidential campaign in January, and campaigns for other positions later. The PNP also provides a summary report before election day, which omits incidents that occur during voting and canvassing. With these caveats, Table 1 uses a PNP briefing on incidents before, during, and after the elections of 1998 and 2001, and a PNP post-election update for the 2004 polls.

down from 26 provinces and 11 cities in the four elections of 1987–95.

Second, the polls continued the relocation of the most violent disputes from north to south. The island of Luzon, a traditional stronghold of private armies and communist insurgents, has become more stable. In 1998–2004, Comelec controlled 2 Luzon provinces compared to 6 in 1988 alone. In contrast, Mindanao and the Autonomous Region in Muslim Mindanao (ARMM) accounted for 6 of the 13 provinces directed by Comelec in 1998–2004.[1] In 2004 over half of nationwide deaths, 60, occurred in Mindanao (Pareno 2004).

Third, the number of local elections postponed because of violence or bad weather has declined. In 2004, Comelec recorded failures in less than two dozen total precincts, *barangays* (neighbourhoods), and towns compared to 10 entire provinces in 1988, 22 municipalities in 1992, and 1 municipality and 353 precincts in 1995 (Linantud 1998, pp. 301–5). Again, most of the difficulties in 2004 occurred in the

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south. Yet election violence, while lower compared to the late Marcos era, has slightly increased in recent years, and by-elections are still more deadly than presidential campaigns because the latter are better able to smooth over local disputes. As memories of authoritarian abuses fade, constitutional liberalism and democracy will increasingly depend on the contemporary institutions and attitudes discussed below.

The Foundations of Illiberal Democracy

Better election security has put the Philippines on the path to liberal democracy. The problem is not that politics has become *more* illiberal since 1986, but that liberalism has not developed at a pace equal to democracy beyond the basic level of safer elections. This is partly a legacy of the Marcos era, when too many people became accustomed to circumventing the law. Though the 1987 constitution respects a host of rights and freedoms, in practice they are often violated or ignored by elites, the Armed Forces of the Philippines (AFP), and insurgents. The other sources of illiberal democracy, public religion and People Power, present a major dilemma. Church action has protected both democracy and liberalism in terms of election security, but challenged the Western ideal of the separation of church and state. Moreover, the Church and other social forces have embraced People Power as a legitimate antidote to perceived abuses of executive power, a dangerous practice that has become part of partisan rivalry.

Old Problems

Bad Government

Even if political violence were to disappear, inefficiency, corruption, and cronyism would still undercut constitutional liberalism. Among Indonesia, Malaysia, Singapore, and Thailand, the other founders of the Association of Southeast Asian Nations, the Philippines ranked at or near the bottom in several indicators of government performance in 1996–2002, including the *rule of law*, *regulatory quality*, *control of corruption*, *government effectiveness*, and *voice and accountability* (World Bank 2004). Many explanations of this problem blame the oft-studied political families who defy or undermine the law through force, fraud, or largesse. This study focuses on manifestations of bad government from the 2004 polls, in particular incompetence, poor logistics, human error, and fraud.

Some cases boiled down to incompetence. Comelec decried a political culture of "manipulation and fraud" but itself faced charges of

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mismanagement (Aravilla and Calica 2004). The private National Movement for Free Elections (Namfrel) found no evidence of "massive" disenfranchisement, but estimates of voters turned away because of registration problems ranged from 900,000 to 2 million (National Movement for Free Elections 2004). Among them was retired Archbishop Jaime Sin, who spearheaded People Power I (Rivera 2004).

Outdated logistics also encouraged human error and fraud. On 10 May, voters filled in paper ballots. After the precincts closed in mid-afternoon, canvassing teams working in pencil stayed awake through the night to tally *seven* different sheets for state authorities, parties, and Namfrel. Because of the time required to transport official documents to provincial capitals and Manila, the canvassing for national positions lasted weeks. Congress declared incumbent Gloria Macapagal-Arroyo the winner of the presidential race over Fernando Poe Jr. on June 24.

During canvassing, the public tracked partial returns as if watching a horse race rather than an honest count. The perception that legitimate winners might be cheated came from a realistic assessment of the opportunities for intimidation and irregularities. A major concern was *dagdag-bawas*, a set of techniques to pad or shave votes that exploited the fatigue of honest canvassers and the numerous instances where certificates changed hands.

According to Namfrel, the impact of fraud on the presidential race did not match the Marcos era, but that for local offices was "terrible" (Sy, 17 May 2004). To counter such problems, the private Coalition for HOPE and Couples for Christ purchased full-page newspaper ads that urged volunteers and Comelec to report *dagdag-bawas*. On 15 May, Comelec itself purchased an ad in the *Philippine Star* that encouraged its own staff to "respect the sanctity of the ballot" and "protect the integrity of the elections".

Given the problems related to paper ballots, the most glaring case of bad government was the failure of Comelec to deploy 2,000 voting machines imported from South Korea. Though the machines would not have covered every precinct, they would have reduced the opportunity for confrontations that often end in bloodshed and started the process of national automation. But the Supreme Court banned the project amid charges of mismanagement (*Manila Times*, 12 January 2004) As a result the government was forced to recognize the "basic weakness in the electoral process owing to antiquated systems and procedures that can be exploited for personal or partisan ends" (Rivera and Esguerra 2004).

Automation might not solve vote-buying, though the impact of this problem remains unclear. In 1998, just 17 per cent of survey respondents personally witnessed vote buying. In 2001, nearly 60 per cent condoned

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accepting money but voting "according to one's conscience" (Laylo 2001, pp. 24, 39). In 2004, votes for local candidates cost as little as 20 pesos, enough to purchase a small bottle of juice. Even if one accepted ten times that amount to deliver a household, the payoff would still be short-lived. One man in Mindanao even worried about retaliation for *refusing* to sell his vote (Marfil 2004).

The Armed Forces

On balance, the AFP has proven to be a defender of democracy. With the Catholic Church, its renewed commitment to election security has helped reduce violence (Linantud 1998). Since 1986, moreover, a series of coups by a mix of reformers and opportunists has failed to overcome the defence of civilian government by constitutionalists led by former general Fidel Ramos. Indeed, the bulk of the AFP has remained loyal, especially since the bloody but failed coups of 1987 and 1989.

On the other hand, the defence of civilian government has given the AFP leverage in Manila. No coups occurred against President Ramos in 1992–98, but in 2001 the repudiation of Estrada by the AFP leadership during People Power II helped force him out, despite support for him from other military factions. In 2003, a small contingent briefly tried to oust Arroyo. In May 2004, current and retired officers were accused of plotting on behalf of both Arroyo and Poe, particularly in Mindanao. At present, only a group led by Senator Gregorio Honasan, a former AFP officer, is still capable of staging well-publicized revolts that by themselves have little chance of forcing a change in leadership, much less replacing civilian government (Quilop n.d.; Hernandez 1997).

Though military government now appears unlikely, the AFP and national police have also fostered a decidedly illiberal "culture of impunity" where civilian officials fear to charge or prosecute soldiers, police, or militia with mutiny, harassment, and extrajudicial killings (Republic of the Philippines 2003). The AFP has therefore been able to challenge Western precepts that oblige the state to respect human rights even during counterinsurgent and law enforcement operations. This issue surfaced during the 2004 elections in charges levelled by party list groups affiliated with the communist New Peoples Army (NPA). The most popular, Bayan Muna, claimed that over 40 of its members had been assassinated by government agents since 2001 (*Philippine Daily Inquirer*, 8 May 2004).

Private Armies, Separatists, and Revolutionaries

Even though election security has improved, the 2004 polls demonstrated that armed groups still influence politics. The worst problems came in

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Mindanao and ARMM, home to a volatile mix of strongmen, militias, separatists, and revolutionaries. Political bosses there have in past elections caused more bloodshed than Muslim rebels (*Philippine Daily Inquirer*, 2001). During the 2004 polls over 80 groups, comprised of mercenaries, militia, and moonlighting guerillas, operated in ARMM (Esguerra and Papa 2004).

Anti-state groups play a large role in the south, and election security depends a great deal on these conflicts. Many veterans of the first Islamic army, the Moro National Liberation Front, have joined ARMM institutions since 1996, but the Moro Islamic Liberation Front and Abu Sayyaf still seek their own states. Both claimed to follow a non-participation policy in 2004 but were involved in several incidents (*Philippine Star*, 10 May 2004). Finally, as many as 6,000 of about 8,000 active NPAs operate in Mindanao (Daomilas 2004). In 2004, communist groups took in 10 million pesos ($182,000) in permit-to-campaign fees (PTCs) including 5 million pesos from Eastern Mindanao (Esguerra, 12 May 2004).

The elections featured the dogmatic and practical side of the NPA. According to its red book, "The study of Philippine history must be guided by historical materialism, Marxist political economy, and the teachings of Lenin on imperialism" (Communist Party of the Philippines 1999, p. 3). The party line in 2004 was equally orthodox: "Like all other reactionary elections in the history of the puppet republic, the May 10 polls serve only to perpetuate the ruling political system and create an illusion of democracy" (*Philippine Daily Inquirer*, 10 May 2004). This ideological fealty explains why the NPA once expelled NGOs from certain locales despite the latter's attempts at poverty relief. But in 2004 the NPA supported several candidates and ambushed others for PTCs, including an incumbent in the House. It also cultivated support with acts of frontier justice against local police, politicians, and businessmen. As part of this campaign, it claimed to have brought order to several hot spots in Mindanao (Gutierrez 2004).

In the long term, revolutionaries promise neither constitutional liberalism nor democracy. Frustration over abuses of state power has historically led to rebellion, so the removal of Marcos in 1986 severely weakened the NPA. Public opinion has also rejected communist rebellion much as it has AFP coups. In 2003, half of national survey respondents agreed that the NPA should be labelled "terrorist" and 23 per cent supported military operations compared to 10 per cent in 1999 (Mangahas 2004 "2003": slide 35; "2002": slide 29). At present, with no foreign allies to help it overwhelm the state or the Catholic Church, it has little chance of the total victory sought by its leadership. Especially dubious is the recruitment of rural child soldiers and

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students from the fast food environs of Manila. Consider the symbolism of the graffiti at a bus stop in Cavite, where "Happy Aniv. of CPP/NPA March 29" (the group was founded in 1969) was painted underneath a campaign poster for the local Remulla clan. On election day 2004, a former NPA cadre and then-advisor to the governor, a rival of the Remullas, was assassinated. Speculation centred on both the Remullas and the NPA. No matter who was responsible, such acts underscored the resilience of political violence. But the changes discussed in this paper have provided a brighter future than simply one dominated by revolutionaries versus warlords.

A New Framework

Verifying the Official Canvass

Quick counts and exit polls have strengthened democracy by providing a reliability check on Comelec, which lost legitimacy under Marcos. In 1986 the difference between Comelec, which had Marcos winning the presidential election, and the Namfrel, whose private tally had Corazon Aquino ahead, convinced many that Aquino had won the election and led to People Power I. Since then, various organizations have published quick counts, but only Namfrel is authorized by the state. In 2004 the triangulation of Comelec, Namfrel, and the public opinion firm Social Weather Stations (SWS) in favour of Arroyo undermined opposition charges of fraud and contributed to the legitimacy of the elections.

TABLE 2
The 2004 Presidential Vote (%)

	Gloria Macapagal Arroyo	*Fernando Poe, Jr.*
Commission on Elections	40	37
National Movement for Free Elections	39	37
Social Weather Stations	45	34

SOURCES: Rows 1 and 3: Mahar Mangahas, "Reviewing the May 2004 Exit Poll", Social Weather Stations 12 July 2004, http://www.sws.org.ph/, 2 of 5, accessed on 7 September 2004; row 2: National Movement for Free Elections, "Namfrel Operation Quick Count 2004 Coverage per Tabulated Election Returns" and "Namfrel OQC Terminal Report: National Tally", 30 June 2004, http://www.namfrel.org/, accessed on 7 September 2004.

NOTE: The error margin of the Social Weather Stations poll, with a sample size of 4,445 voters, is plus or minus 2 points.

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Moreover, Namfrel and SWS relied on text, e-mail, and fax in 2004. This use of cutting-edge technology should convince officials that the country does have access to the communication systems able to support some type of automated canvassing.

These practices have also drawn criticism. Namfrel and SWS have largely ignored volatile local races, and exit polls have confused voters and raised fears of diminished turnout and efficacy. Charges of partisan bias also flared in 2004, as opposition leaders claimed that polls and quick counts had "conditioned" the public for an Arroyo victory (Baldo 2004). These charges, and the decline in trust in Namfrel discussed below, have made agreement between Comelec, Namfrel, and SWS all the more important for the legitimacy of presidential elections.

Democratic Nationalism

People Power reinvigorated a democratic nationalism based on the country's heritage as a pioneer of regional democracy. Pride in the events of 1986 has also deepened in the wake of "People Power" movements from Seoul and Bangkok to Belgrade, T'bilisi, and Kiev. Asked why he defended Aquino, for instance, Ramos explained "I did not risk my life in 1986 to restore democracy to make the Philippines into a banana republic" (Thompson 1992, p. 137).

Elite assertion of a democratic national identity moved forward in 2004. President Arroyo anticipated that the elections would "show to the whole world that the democracy in the Philippines is stable and strong" (Villanueva and Sy 2004). Former President Estrada too hoped that the "rest of the world" would "praise and admire" them (Tuazon 2004). Namfrel, however, termed the polls a "national embarrassment" compared to India, which voted at the same time but finished canvassing in only a few days (Tubeza, 22 May 2004).

The public has also embraced democracy. States with prior experience with elections, like the Philippines, have a better chance to remain democratic after a period of authoritarian government because of tempered public expectations and negative memories of strongman rule (Huntington 1993, pp. 208–79). This hypothesis explains surveys that have shown little authoritarian nostalgia, high levels of efficacy and idealism regarding voting, and support for automated canvassing (Mangahas 2004 "2002": slides 10–19; Laylo 2001, pp. 20–25, 62–3). In 2001, 79 per cent of national survey respondents agreed that "democracy may have problems but it's better than any other form of government" (Inglehart 2004). In 2003, only 20 per cent preferred authoritarianism to 58 per cent for democracy (Mangahas 2004 "2003": slide 94).

The flirtation with authoritarian government, however, has not entirely abated. In the 2001 World Values Survey, 49 per cent of

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respondents stated that "having the army rule" would be generally positive, the highest figure from *any* predominantly Christian state, and between neighbouring Indonesia (97 per cent), Singapore (17 per cent), and Vietnam (99 per cent) (Inglehart 2004). The armed forces are also the second-most trusted national institution, behind the Catholic Church (Table 3). Yet after the latest AFP mutiny in 2003, strong majorities asserted that the mutineers' claims of state corruption and terrorism did not justify rebellion, even though most respondents believed some of their charges (Mangahas 2004 "2003": slides 43–44).

New Representation

It is often argued that People Power I merely restored the pre-Marcos era of elitist democracy. Of the many changes discussed in this paper, few better refute this argument than the mobilization of women, a critical impetus for mass participation and democracy. By United Nations standards, the national gender empowerment rank of 37 out of 177 countries trumps the overall human development rank of 83. Despite an international reputation for prostitution and trafficking, women form a greater percentage of legislators and professionals here than in Thailand, Singapore, and Malaysia (United Nations 2004, pp. 221–4). At the elite level, two women have become president since 1986. At the grassroots, however, maternal rather than reproductive rights feminism has made deeper inroads, another challenge to Western liberalism (Jaquette 2001).

TABLE 3
Confidence in National Institutions (%)

I am going to name a number of organizations. For each one, could you tell me how much confidence you have in them: is it a great deal of confidence, quite a lot of confidence, not very much confidence or none at all?

	A Great Deal	*Quite a Lot*	*Not Very Much*	*None at All*
Churches	64	27	8	1
Armed Forces	26	49	22	4
Press	22	48	27	4
Police	19	42	32	7
Government	11	42	37	10

SOURCE: Ronald Inglehart, et al., *World Values Surveys and European Values Surveys, 1999–2001* (computer file), ICPSR version (Ann Arbor, MI: Institute for Social Research (producer), 2002; Ann Arbor, MI.: Inter-university Consortium for Political and Social Research (distributor), 2004).

NOTE: Survey was conducted in 2001.

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Since 1998, party-list elections to the House of Representatives have also expanded democracy by providing representation for previously marginalized groups, including the far Left, which had been banned from the legislature since the 1940s. In 2004, three groups linked to the NPA won seats, including Bayan Muna, which received over one million votes (Commission on Elections 2004). Veteran communists may be in error if they see the party list as a means to revolution. Granted, since 2001 Bayan Muna has directed state funds to communist organizations and NPA zones (Laude 2004). But in the context of dwindling public support for radicalism, the party-list could push the Left toward the non-violent secular and faith-based NGOs working for uplift. Asked to explain his support for Left party-lists in 2004, for instance, a mayor in Mindanao reasoned: "Except for the armed struggle ... These are the guys who really make the programs for the poor work" (Cayon 2004).

This recalls another scene from Cavite, where posters for Anakpawis, the NPA party-list for students, and Senator Rodolfo Biazon, a leader of the constitutionalist AFP, often appeared side by side. Admittedly, the larger interests these candidates represent have not fully embraced the rule of law, and many observers would prefer that erstwhile guerillas and soldiers not run for office. But in contrast to warlords and revolutionaries, such images symbolize the opportunity to incorporate the Left into elections made more plausible by the party-list.

The Question of Religion

The secular revolution plays a central role in liberalism. It is often overlooked that in the West, the "separation of church and state" has actually depended on *three* changes: first, the legal separation of church and state authority and elimination of clerical authority over law and policy; second, a decline in faith; and third, the removal of religion from public life. Contrary to Western experience, however, religious politics has prospered in developing states. Filipino nationalism, moreover, has exhibited a spiritual bent since the Spanish era, when revolutionaries and outlaws touted millennial themes (Casanova 1993; Juergensmeyer 1994; Sturtevant 1976). In any country, not just the Philippines, public faith carries implications for liberalism beyond the rule of law and due process. Even if politics were to become fully liberal in those areas, secularism could remain incomplete.

In this context, the 2004 elections demonstrated the resilience of anti-secular attitudes and institutions. On the first count of the separation of church and state, the barrier between constitutional and clerical authority remained stable. There is no state religion, but public schools

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allow religious education and the judicial system recognizes Islamic law in some cases for Muslims, who may constitute over 10 per cent of a national population that is otherwise about 90 per cent Christian and 80 per cent Catholic. Separatists have occasionally established illegal shariah courts (United States Department of State 2004).

On the second count, the country is comparatively religious (Mangahas 1996). In the 2001 World Values Survey, 87 per cent of respondents claimed that religion was "very important", the highest percentage for *any* predominantly non-Muslim country, and 99 per cent believed in God (Inglehart 2004). In 2004, spirituality took centre stage in the Mass for Peace and Credible Elections, where the major presidential candidates, including President Arroyo, recited "The victory is not mine to take but yours to give ... Grant us, O Lord, the perfect expression of the people's will in this election" (Sy, 10 May 2004).

The third count of the separation of church and state, public religion, took a variety of forms in 2004. The elections again featured partisan clerics. The Catholic hierarchy implicitly opposed Poe, an actor and crony of Estrada and others linked to the failed People Power III against Arroyo. The Iglesia Ni Cristo, Independent Catholic Church, and Catholic El Shaddai Movement endorsed Arroyo, and televangelist Eddie Villanueva received over one million votes for president. Religious block voting, on the other hand, did not materialize to the degree some had anticipated (Mangahas, 12 July 2004).

Despite these manifestations of faith, the public prefers religious nationalism to outright theocracy. In the same 2001 World Values Survey, majorities agreed that "politicians who don't believe in God are unfit for public office" and favoured officials with "strong religious beliefs", the most support from *any* predominantly non-Muslim country. But most also believed that clergy should not effect "how people vote" or "government decisions" (Inglehart 2004). This ambivalence explains why outspoken Catholic leaders failed to prevent the elections of former General Ramos in 1992 and film star Estrada in 1998, or block state initiatives on a number of policies (Abad 2001).

In 2004, partisan clerics again overshadowed the ongoing conflict between church and state that has become a foundation of democracy and constitutional liberalism. In the West, the religious challenge to the state helped create the space for rights and liberties. The same dynamic has coloured the Philippines since the reforms of the Second Vatican Council, and the rise of the radical Left, compelled the Church to pursue a centrist agenda of democracy, the rule of law, and human rights. Though clergy did not challenge the legal separation of church and state authority, this new mandate placed it in opposition to Marcos, who called himself a liberal autocrat but became an illiberal

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dictator atop a kleptocratic state. As his regime became more abusive, the Church increasingly used its national organization against him (Youngblood 1990). Despite some internal schisms, the Church has remained vigilant against a return to dictatorship, challenged anyone it fears may become another Marcos, and mistrusted secular institutions like the AFP and the business community. Before the 1998 polls, for instance, thousands rallied with Aquino and Sin against a constitutional amendment that would have allowed Ramos to run for a second term. This consistency, and the malfeasance of others, has helped it become the most trusted non-state *and* national institution in a largely mistrustful polity.

The 2004 elections showcased the extent to which the vacuum of trust in other institutions has drawn the Church, and other faith-based and secular NGOs, into political life. The polls energized groups of overlapping membership and responsibilities, including Namfrel, the Parish Pastoral Council for Responsible Voting (PPCRV), the Coalition for HOPE, The Patriots, and others. In contrast to Namfrel, which relies on clergy and faith-based staff but presents a secular face, the PPCRV openly seeks a "political order ingrained with Gospel values" (Parish Pastoral Council For Responsible Voting 2004). Both urged voters to reject fraud and terrorism. The PPCRV Ten Commandments of Responsible Voting, for instance, mixed democratic idealism with religious nationalism.[2]

In an ideal world, the burden of election security would fall squarely on the state. In the Philippines, the most dramatic evidence of the link between religion, democracy, and the rule of law in 2004 was the commitment by election watchdogs to monitor local precincts. Namfrel and others deployed hundreds of thousands of people to deter trouble, record irregularities, and work with state authorities to reduce violence. At one rally, clergy burned symbols of money and armed men to illustrate the immorality of vote selling and terrorism (*Philippine Daily Inquirer*, 9 May 2004).

Apart from election security, faith-based groups have emphasized empowerment and responsibility, both important norms of democracy. While others blamed failures on poverty or the American legacy, a Namfrel clergyman frustrated by "dirty politics" concluded "While we are always complaining about the poor delivery of government services ... in the end we deserve the kind of political leaders we have" (Serrano 2004).

Public activism, however, has drawn faith-based groups into partisan disputes. As in prior elections, Namfrel and Church officials received death threats. When the quick count showed Arroyo leading Poe, a politico charged that Namfrel had "stopped counting after the

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results showed that its candidate was winning" (Diaz 2004). Similar charges had already chipped Namfrel's reputation. Interestingly, in 1998 the more openly spiritual PPCRV was more trusted by the public than Namfrel. In 2001, after the controversial People Power II, barely half of survey respondents trusted either Namfrel or Comelec (Laylo 2001, pp. 1–9).

People Power

People Power, which can be defined as a capital revolt against a sitting head of state, has become a major focal point for the development of constitutional liberalism and democracy. Since 1986, it has joined political leaders, the AFP, Catholic Church, and thousands of people together to demand a change of leadership. Advocates call it the victory of the popular will over abuse of power, while critics argue that it replaces due process with mob rule and a 21st century version of investiture.

People Power is a legacy of the Marcos brand of illiberal autocracy in several ways. One is partisan politics. The original anti-Marcos coalition led by Corazon Aquino, Ramos, and Sin has triumphed in all three People Power movements: I and II removed presidents Marcos and Estrada, while III against Arroyo, and AFP coups intended to spark popular revolts against Aquino and Arroyo in the late 1980s and 2003, failed. Some have argued that People Power II surreptitiously reversed the 1998 presidential elections won handily by Estrada (Abinales 2001). The failed putsch against Arroyo in 2001, moreover, relied on bribes of military officers and protestors and ended with several deaths (Linantud forthcoming).

The second part of the Marcos legacy in People Power, conversely, is democratic idealism. In 1994 and 2001, over 60 per cent of survey respondents answered "no" when asked "If people do not protest or undertake "people power", can government be relied on to listen to the grievances of the public, or not?" (Mangahas "2001": slide 16). By this logic, the difficulty of making the state accountable to ordinary people, a key component of democracy, has legitimized People Power.

Third, the public has remained loyal to the religious nationalism depicted by the EDSA Shrine to People Power I in Manila. In 2001, the crowds that targeted Estrada gathered there after live telecasts showed his supporters in the Senate attempt to block the introduction of key evidence during his impeachment trial on charges of corruption. Though critics charged that the move against Estrada reflected the will of only a small minority in Manila, a majority of national survey respondents supported his removal, agreed that it reflected the "will of God", and

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tied the legitimacy of the Arroyo regime to People Power (Social Weather Stations 2002; Mangahas 2004 "2001": slide 11).

How can these apparent contradictions be resolved? From one point of view, the three People Power movements have been consistent, pitting black sheep like Marcos and Estrada against old political families represented by Aquino and Arroyo, military reformers led by Ramos, cosmopolitan professionals and students in Manila, and a Church fearful of a return to illiberal autocracy. This would make them simultaneously partisan, democratic and idealistic. On the other hand, People Power is not a liberal device, since its initiation, conduct, and resolution are not delineated in the constitution. Moreover, each iteration of People Power has become less spontaneous, idealistic and pure, and more calculated, realistic and corrupt. Even worse for proponents of liberal democracy, the assimilation of People Power into partisan politics might breed a general refusal to accept the results of any election, no matter how legitimate, and turn civil disobedience into anarchy without proper leadership and sobriety.

Not surprisingly, People Power cast a long shadow on the elections of 2004. Days before the 10 May voting, Ramos reiterated the legitimacy of People Power against "total, massive, willful, state-directed failure" of elections (Contreras and Papa 2004). These sentiments underscored the perception that no interested party had ruled out a capital revolt if "necessary".

The congressional mandate to proclaim the new president by 30 June therefore became the unofficial deadline to challenge, negate, or circumvent the official canvass through direct action. The opposition tried to discredit the vote before the first ballots were cast by alleging that AFP personnel would engineer an Arroyo victory. Truth be told, a bishop concluded the charges were "not a joke" and a priest at the head of a national NGO warned of a military coup (Rivera and Marfil 2004; Frialde 2004). Immediately after the voting, thousands of Poe supporters gathered to protest Arroyo's lead in exit polls and quick counts, and Poe claimed that his operations were being sabotaged. From detention, Estrada hinted "It's about time that people hold protests on the streets to denounce the massive cheating" but Poe cautioned "Let us hope we would not have to resort to using People Power" (*Philippine Star*, 14 May 2004; Dizon 2004).

The uncertainty mounted when Comelec ordered ABC TV, which had Poe ahead of Arroyo, to stop its quick count on 16 May. The administration argued that all quick counts but Namfrel's became illegal once Comelec began the canvass. In the shadow of People Power, however, many believed that the order was part of a

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government plan to stifle criticism of Comelec, Namfrel, and exit polls. Media and academic observers questioned the legality of the order, and a Manila archbishop called it "emerging authoritarianism" (Lacson et al. 2004).

Poe attempted to exploit such fears. Copying the tactics used by Aquino in 1986, on 19 May he declared victory and announced plans for an inauguration. Over a month later, on 29 June, his supporters rallied in a final and futile effort to stop the congressional proclamation of Arroyo as rumours circulated of an assassination plot against the Speaker of the House (Albano 2004).

The attempt to foment People Power failed for two reasons. First, the traditional victors in People Power backed Arroyo. Second, the public did not believe that election fraud was total, massive, willful, and state-directed, in large part because the confluence of the exit polls, Namfrel and Comelec in favour of Arroyo supported the legitimacy of the presidential canvass. In response to media investigation of opposition charges, the secretary general of Namfrel even told reporters "You guys are being taken for a ride" (Tubeza, 17 May 2004). Nevertheless, the election featured an array of dirty tricks by all sides, and the gag order was an ill-timed exercise of state power. Since such practices are likely to continue in future elections, the inability of Poe to inspire a capital revolt in 2004 was clearly a failure of circumstance rather than a rejection of People Power itself.

Conclusion

In conclusion, the 2004 polls demonstrated that safer elections have moved the country, however slightly, in the direction of liberal democracy. In other areas, the growth of democracy has outpaced that of constitutional liberalism, an imbalance that has created illiberal democracy. The country has little choice but to accept elections, since public opinion has rejected authoritarian and military government, communist revolution, and theocracy. Even in the unlikely event that the AFP managed to seize power in Manila, under present conditions domestic opinion would demand a quick return to the ballot.

The barriers to constitutional liberalism, on the other hand, have been more fundamental than those to democracy. Even if election violence continues to fall, government inefficiency, corruption, and fraud would still present serious challenges. The true dilemma, however, is that the growth of democracy has *necessarily* impeded certain parts of liberalism: public faith and religious organizations are simultaneously building blocks of democracy and the rule of law, but barriers to a fully

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secular polity and society. This might arguably satisfy the immediate needs of the Philippines, but does not augur well for Western liberalism as a comprehensive national project.

Finally, People Power is at once a blend of partisan rivalry, democratic idealism, and religious nationalism that symbolizes the replacement of illiberal autocracy with illiberal democracy. In 2004 People Power did not materialize because elites and residents of Manila decided it was not necessary. But since 1986 it has become a legitimate antidote to perceived abuses of state power. The goals are democratic, but the methods are illiberal. If leaders have lost the right to govern, they should be removed through elections. If People Power continues to become a partisan device rather than an extraordinary response to an unusual situation, it will become increasingly arbitrary itself.

NOTES

1 The Autonomous Region in Muslim Mindanao includes Marawi City and the provinces of Basilan, Lanao del Sur, Maguindanao, Sulu, and Tawi-Tawi. Residents participate in national and local polls but also elect a separate Governor, Vice-Governor, and assembly.

2 "Thou shalt vote according to the dictate of your conscience, Thou shalt respect the decision of others in choosing their candidates, Thou shalt seek to know the moral integrity, capabilities and other personal qualities of the candidates you will vote for, Thou shalt strive to understand the issues, platform and programs of candidates and parties seeking your vote, Thou shalt not sell your vote, Thou shalt not vote for candidates using guns, goons, or gold, Thou shalt not vote for candidates with records of graft and corruption, Thou shalt not vote for candidates just because of "utang na loob", popularity, or pakikisama, Thou shalt not vote for candidates living an immoral life, Thou shalt put the welfare of the country above all else in choosing the candidate you will vote for."

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Contemporary Southeast Asia 27, no. 1 (2005): 102–22 ISSN 0219-797X

Multilateralism in China's ASEAN Policy: Its Evolution, Characteristics, and Aspiration

KUIK CHENG-CHWEE

This article aims to study the origins and patterns of China's involvement in regional multilateral institutions, as well as its characteristics and implications for China's ASEAN policy in the post-Cold War era. To this end, the study focuses on China's participation in three ASEAN-initiated and -driven multilateral institutions, namely the ASEAN Regional Forum (ARF), ASEAN-China cooperation, and the ASEAN Plus Three (APT) process. The article shows that China's perceptions and policies toward multilateral institutions have been going through significant changes, from caution and suspicion to optimism and enthusiasm. Instead of perceiving multilateral institutions as malign arrangements that might be used by other states to challenge China's national sovereignty and to limit its strategic choices, Beijing now views multilateral institutions as useful diplomatic platforms that can be utilized to advance its own foreign policy objectives. Such perceptual changes have slowly but significantly led to a greater emphasis on multilateral diplomacy in China's ASEAN policy. It can be argued that multilateralism now plays a complementary, rather than a supplementary role to bilateralism in the conduct of Chinese foreign policy towards ASEAN in the new era.

Introduction

The end of the Cold War and the settlement of the Cambodian conflict opened a new chapter in the development of ASEAN-China relations.

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Four key characteristics distinguish ASEAN-China ties in the post-Cold War era from that of the preceding period. The first feature is the disappearance of the ideological barriers that eventually paved the way for the restoration or establishment of diplomatic ties between China and all ASEAN states by 1991. The second characteristic is the importance of economic links that have created both convergent and divergent interests for the two sides. The third feature is the salience of the Spratly territorial disputes in shaping the ASEAN-China interactions. The final — equally important but less noted feature — is the gradual emergence of multilateralism as a mode of diplomatic interaction between the People's Republic of China (PRC) and the ASEAN countries.

Throughout the Cold War period, China's interactions with ASEAN states were conducted solely on a bilateral basis. No institutionalized linkage was formally forged between China and the regional organization. Viewed in this light, the attendance by the then Chinese Foreign Minister Qian Qichen at the opening session of the 24th ASEAN Ministerial Meeting on July 1991 as a guest of Malaysia was an important event for Sino-ASEAN relations. This was followed by China's presence in the ASEAN meeting in its capacity as the group's consultative partner in 1992, as well as its attendance at the inaugural meeting of the ASEAN Regional Forum (ARF) in 1994. Together, these events marked the beginning of the multilateral process between China and the ASEAN states.[1]

It must be noted that Beijing's move to involve itself in ASEAN activities since the early 1990s was part of the country's "good-neighbourliness" policy [*mulin zhengce*] that aimed at strengthening its ties with the neighbouring countries in the wake of the Tiananmen Incident in 1989, rather than a fresh orientation in the conduct of Chinese foreign policy. Bilateralism remained the principal thrust of China's policy towards Southeast Asian countries. However, as a range of multi-level and multi-sector cooperation mechanisms developed one after another largely by ASEAN's initiative throughout the 1990s — notably but not exhaustively, the creations of ARF in 1994, the China-ASEAN senior official political consultation in 1995, as well as the ASEAN-China and ASEAN Plus Three (APT, i.e. ASEAN plus China, Japan and Korea) Summits in 1997 — China's increasingly active involvement in these multilateral forums has considerably shaped the dynamics of its ASEAN policy. At the turn of the new century, multilateral diplomacy has become an important component of China's ASEAN policy in the eyes of many analysts (Thayer 2001; Roy 2002).

While China's involvement in these regional multilateral institutions has not been an overlooked phenomenon, it is nonetheless

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an understudied field of inquiry. To date, there is no major scholarly work that attempts to examine the dynamics of China's participation in these regional multilateral institutions in a systematic manner. Although there are a number of important writings on China's involvement in the ARF (Foot 1998; Johnston 1999 and 2003; Pan 1999), studies on China's participation in the APT and the ASEAN-China cooperation (also known as the ASEAN-China dialogue, hereafter ACC) remain sparse in the literature.[2] This is surprising, considering that China's ASEAN policy is not only implemented through and affected by its participation in the ARF, but also involves other regional institutions particularly ACC and APT. Moreover, the fact that from the mid-1990s until early 2003 China's policy towards these three institutions had been managed by the same division within the Chinese Foreign Ministry's apparatus (namely the Division for Regional Cooperation of the Asian Department), strongly reflects the intertwined nature of these institutions for Chinese policymakers.[3] For these reasons, any efforts to examine the linkage between China's multilateral involvement and its ASEAN policy must take into consideration the interconnectedness of China's involvement in *all three* institutions.

This selection of cases, however, does not imply that China's multilateral interactions with ASEAN states is only limited to these three institutions. There are other regional multilateral forums that involve both China and ASEAN countries, such as the Asia Pacific Economic Cooperation (APEC), the Asia-Europe Meeting (ASEM), and the Thai-initiated Asian Cooperation Dialogue (ACD). The reason why these institutions are excluded in this study is that they are not driven by ASEAN and that their impact on China's ASEAN policy is less discernable as compared with the ARF, ACC and APT.

By focusing on China's involvement in these ASEAN-led institutions, this paper seeks to answer three questions: First, has the PRC's multilateral involvement in these institutions led to the emergence of multilateralism in China's ASEAN policy? Second, if there is, what are key characteristics of China's strand of multilateralism? Finally, what is the key impetus driving China's multilateral involvement?

In this study, multilateralism is defined as the tendency and preference of a country to use multilateral diplomacy as a means to attain its foreign policy ends. Our assumption is that, a state's multilateral involvement does not necessarily signify the rise of multilateralism in the country's foreign policy. Rather, multilateralism is regarded as having emerged only if and when multilateral diplomacy has begun to play a *complementary* rather than a subsidiary role to bilateral diplomacy as a vehicle to achieve the foreign policy objective(s) at hand.

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Methodologically, it is difficult to measure in exact terms the relative importance of multilateral diplomacy vis-à-vis bilateral diplomacy in any country's foreign policy. Nevertheless, it is possible to ascertain if a multilateral approach constitutes an indispensable or negligible component in a country's diplomacy. One could perform the task by looking at the degree of a country's reliance on multilateral means vis-à-vis bilateral ones in materializing its policy ends. That is, if a country's policy objectives in a particular realm can be achieved by largely or entirely relying on bilateral diplomatic approach, multilateralism does not exist. On the contrary, if a country's policy ends can only be attained by the use of multilateral diplomacy or a combination of bilateral *and* multilateral diplomacy, a case can be made for the emergence of multilateralism in the country's foreign policy orientation. In short, multilateralism emerges in so far as multilateral diplomacy has become an indispensable means to attaining a country's foreign policy ends.

The paper consists of three parts. The first part traces the changing patterns of Beijing's participation in the ASEAN-led regional institutions over the past decade. It shows that China's multilateral involvement, albeit with initial reservations, has led to the rise of multilateralism in its ASEAN policy at the turn of the twenty-first century. The second part addresses the key features of China's multilateralism, namely a preference for multilateral economic institutions, a reliance on the use of soft power, as well as an ability to capitalize on the reciprocal relationship between multilateralism and bilateralism. The final part contends that China's multilateral involvement has been motivated by an underlying aspiration to shape the "rules of the game" for regional cooperation. It demonstrates how China's calculated attempts in influencing the designs and directions of the regional institutions, have helped the country to advance a range of its foreign policy goals.

China's Involvement in the ASEAN-led Multilateral Institutions: Three Phases

Based on the patterns and levels of its involvement, China's participation in the ASEAN-driven institutions can be divided into three major phases:

Phase One (Early 1990s until 1995): Passive Involvement

Throughout this period, China's perception of multilateral institutions largely remained cautious and suspicious. Due to its deep-seated concerns that multilateral security arrangements might be detrimental

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to its national sovereignty, China did not respond positively to the proposal of creating a multilateral security forum in the Asia-Pacific that was first put forward in the early 1990s. Although China eventually decided to join the new security forum — named as the ASEAN Regional Forum or ARF — in 1994 and agreed to ASEAN's suggestion to embark on an annual consultation on political and security issues at the senior official level (hereafter the ASEAN-China SOC) in 1995, Beijing's involvement in these multilateral institutions was passive and apprehensive. The prime intention of Chinese officials at these meetings was to ward off any development that might jeopardize China's national interests.

China's reservations about ARF at the time had to do with its concerns in four specific issue areas. First, Beijing was worried that the proposed forum would be dominated and used by Washington to interfere in other countries' internal affairs, as has been the case in most international organizations (interviews, Beijing, May 2000). Second, Beijing was uneasy about the likelihood that ASEAN might use the forum to internationalize the Spratly Islands dispute and take a united stance against China (Yan and Chu 1994, p. 7; Leifer 1996, pp. 26–7). Third, Beijing was alarmed by the possibility that the Taiwan issue might be included in the ARF agenda. Finally, Beijing was concerned about the problem of military transparency (Shirk 1994, pp. 11–3; Garrett & Glaser 1994, pp. 27–31). These concerns led China to feel that the forum was created with the intention of checking its power and limiting its strategic choices.

Despite this vigilance, China eventually decided to take part in the security forum. A report prepared by the influential Chinese Academy of Social Sciences (CASS)' Institute of Asia Pacific Studies (IAPS) reflects that China's decision was a product of a careful calculation over strategic benefits and political costs. The report recognizes that the emergence of multilateral security cooperation mechanism in Asia Pacific is an unstoppable trend. It thus asserts that it is imperative for China to involve itself in the multilateral process in a pragmatic way. Specifically, it recommends that China should proactively shape the development of the mechanism from within, in order to ensure a favourable position in a fluid and complex security environment. Non-participation is not considered an option, as it would only result in self-isolation (IAPS 1995, p. 16). Non-participation might also run the risk of arousing ASEAN's suspicious about China's intentions in the region. For Beijing, the latter scenario must be avoided at a time when it was determined to cultivate a closer relationship with its southern neighbours. As noted by Alice Ba (2003, pp. 630–4), ASEAN gained importance in China's foreign policy reevaluation after Tiananmen,

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offering attractive investment and trading partners, as well as potential political allies that shared many of Beijing's developmental priorities and sensitivities about external interference.

Beijing's involvement in the newly established forum, however, was not immediately translated into enthusiastic participation. Driven principally by the aforementioned concerns, China cautiously guarded against any institutional development of ARF that might challenge its sovereignty. This can be seen by China's response at the second ARF meeting in Brunei in 1995. At the meeting, participants discussed the ARF Concept Paper that outlined the forum's future development and institutional structure. The paper proposed that the development of the forum in three stages, namely (i) promotion of confidence-building measures (CBMs); (ii) preventive diplomacy (PD) mechanisms; and (iii) conflict-resolution mechanisms. China had no problem with the first two stages, but voiced its objections to the third. The Chinese representative insisted that the ARF is only a dialogue forum [*duihua luntan*] and hence should not be designed as a formal institution that aimed to resolve conflicts. As a result, the third stage was modified as "the elaboration of approaches to conflict" (Johnston 1999, p. 315; Foot 1998, p. 427). This clearly reflects Beijing's reluctance in seeing ARF to develop into a CSCE-style, highly institutionalized security mechanism.

Phase-II (1996–99): Active Participation

After a period of participating and observing for several years, China gradually changed its perception of multilateral cooperation. It increasingly realized that multilateral forums like ARF and the ASEAN-China SOC might not necessarily be harmful to its national security. Instead, multilateral cooperation could be used as a diplomatic platform to promote its own foreign policy agenda. During this period, although bilateral diplomacy still remained the main thrust of China's ASEAN policy, multilateral diplomacy had slowly begun to play a supplementary role. This was indicated by China's increasingly active participation in ARF activities and other forums for multilateral cooperation in the region.

The shift in China's perceptions of the multilateral forum was due to two important factors that Beijing came to realize in the process of participating.[4] The first is the institutional features of the ARF. The forum, being an extended model of ASEAN, has been operationalized on the basis of the "ASEAN Way" which is featured in the forms of informal, wide consultative, consensus and incremental approach. According to Foot (1998, p. 428), such features enable China to participate in a comfortable manner. There is less need for Beijing to form coalitions of supporters to vote against any agenda that may harm

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its national interest. The second factor that assuages China's suspicion of multilateral institution is ASEAN's unique role in maintaining equal relationships with major powers. For China, the fact that ARF is led by ASEAN and not other big powers such as the United States and Japan is politically acceptable and in fact preferable. These two factors, together, convinced Beijing that the ARF would not develop into an anti-China alliance.

Perceptual change logically led to a shift in China's actual involvement. In April 1996, Beijing offered to co-chair with Manila the next ARF intersessional support group (ISG) meeting on CBMs. In 1997, in addition to hosting the ISG meeting China also sent representatives to take part in the first meeting of defence college chiefs held in Manila. The following years witnessed China's further widening of involvement in the forum. Through its participation in various CBM activities, China hoped to reassure its neighbours and to dampen the "China threat" theory (Dao et al. 2002, pp. 6–7). In addition, by repeatedly stressing the "New Security Concept" [*Xin Anquan Guan*] through ARF and other multilateral meetings, China also hoped to promote what they regard as the most appropriate means for organizing the post-Cold War security relations in the Asia Pacific (Capie and Evans 2002, p. 175).

Beyond the ARF framework, China had also been actively involved in the expanded ACC and the newly created APT process. In July 1996, China became a full dialogue partner of ASEAN. The following year witnessed the creation of the ASEAN-China Joint Cooperation Committee (ACJCC) in February, as well as China's attendance at the first informal APT Summit and the first informal ASEAN-China summit in July. By 1997, the ACC had evolved into a full-fledged diplomatic arrangement that involves mechanisms at the summit, ministerial, as well as senior officials working levels.[5]

The changing atmosphere in the ASEAN-China SOC during this period was particularly noteworthy. Established in 1995, the annual SOC was created by the two sides to prepare for the ministerial meeting, and to review the ASEAN-China relations in a "friendly and relaxed atmosphere" (Termsak 1999). As it turned out, the ambience of the first few meetings was hardly a relaxed one. Owing to the fact that the meetings were overshadowed by conflicting concerns over the South China Sea disputes, the mood was tense and the tone stiff. Regular interactions between the two sides in the subsequent years, however, have gradually transformed the atmosphere into a much more relaxed and constructive mood. Issues that were previously deemed sensitive are now brought up freely and discussed in a comfortable manner (interviews, Beijing, January 2003).

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China's involvement in the APT process has mostly been enthusiastic. At the second APT Summit, China proposed to organize a meeting involving the deputy governors of central banks of the APT countries. This proposal materialized the next year, when thirteen central bank deputy governors from the region met for the first time to discuss financial cooperation between them. China then further proposed that the meeting be held regularly.

Four factors explain China's enthusiasm towards the APT process. First, China's earlier involvements in the ARF, ACC, APEC and ASEM have substantially enhanced Beijing's level of confidence over regional cooperation. Second, Beijing learned from the 1997–98 Asian financial crisis that, given the high level of interdependency among the East Asian economies, financial problems of one country would inevitably produce contagious effects for other countries in the region (Zhang 2002, p. 6). Like other East Asian countries, China realizes that financial cooperation is imperative to prevent a recurrence. China thus takes part actively in regional cooperation like the Chiang Mai Initiative. Third, China recognizes that the wave of globalization has become irreversible. Regionalism is seen as a means to protect national interest against the onslaught of globalization (Takahara 2002, pp. 38–49). Finally, based on geopolitical calculations, China views APT as an ideal platform to push for East Asian cooperation that is likely to expand its political influence and to reshape regional security order in the long run.

The same period also witnessed China's growing involvement in other multilateral institutions outside the ambit of China-ASEAN interaction. For instance, in 1996 China, together with Russia and three Central Asian countries, gathered in Shanghai to initiate what was known as the "Shanghai Five" cooperation process. In addition, China also took part in the first ASEM meeting in 1996. Taken together, these developments reflect China's rising level of comfort and confidence with multilateral diplomacy.

Phase-III (2000–present): Proactive Proposition

China's embrace of multilateral diplomacy reached new heights in 2000, when it proposed the idea of establishing the ASEAN-China Free Trade Area (ACFTA) at the APT and the ASEAN-China Summits. In November 2001, leaders from the two sides reached the agreement to establish the proposed FTA within the next ten years. The development signified that, unlike the two earlier stages in which Beijing merely *responded* to ideas put forward by ASEAN, Beijing has now entered a new phase in which it begins to *proactively initiate* bold regional proposals. Multilateral forums have since been used as valuable

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diplomatic platforms that are aimed at transforming its foreign policy propositions into long-term strategic reality.

The ACFTA plan, in particular, is instrumental to achieving many of China's foreign policy goals, in *both* economic and political realms. In the former case, Beijing anticipates that ACFTA will serve to expand Sino-ASEAN trade and investment links. ASEAN has long been China's fifth largest trading partner. With an average growth rate of 20 per cent since 1990, ASEAN-China trade totalled US$39.5 billion in 2000. ACFTA is expected to further enhance the Sino-ASEAN trade. According to the ASEAN-China Economic Expert Group (2001, p. 32), the FTA will increase China's exports to ASEAN by 55.1 per cent, and will increase Southeast Asian exports to China by 48 per cent. By creating a liberal and facilitative investment regime, the FTA is also likely to enhance Sino-ASEAN investment cooperation.

In addition, ACFTA is hoped to help China's efforts to acquire much needed energy and raw resources. As the Chinese economy continues to grow, supply of raw materials and energy resources has become increasingly critical. As a resource-endowed region, Southeast Asia is an important source for China's present and future needs. Although the supply from the region will not meet China's overall demand, it would nonetheless help Beijing to diversify its sources of raw imports, similar to Japan in Southeast Asia during the 1990s (*Economist*, 2 December 2000). China has recently stepped up its efforts to secure resources from the region. For instance, it is acquiring liquid natural gas and pulp from Indonesia, and rubber and palm oil from Malaysia (*FEER*, 28 March 2002; *New York Times*, 18 October 2003). This factor, combined with the enhanced Sino-ASEAN trade and investment links, is creating favourable conditions for China's future economic development.

More importantly for China, the ACFTA is expected to create considerable *political* advantages. As rightly observed by Sheng Lijun, this is the first time China has found common interest to engage all ASEAN states constructively and *exclusively* to talk about cooperation, rather than quarrelling over issues like the Spratly dispute. The FTA negotiations would mean that Beijing could engage ASEAN capitals constructively for at least ten years under one friendly framework. The ACFTA thus can be viewed as "political confidence-building" for both sides (Sheng 2003, p. 16). Over time, this is likely to expand Chinese influence in the region. The political benefits of the ACFTA will be explored further below. Here, it is suffice to say that these goals would help Beijing to transform its political ties with the ASEAN states, and to reshape the regional order in Asia-Pacific.

Clearly, it will be difficult for China to effectively pursue these economic and political goals if it relies merely on bilateral diplomacy.

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It seems clear that multilateral diplomacy now plays a complementary rather than supplementary role in China's ASEAN policy.

The ACFTA plan is the first of a series of Beijing's carefully calculated moves to use multilateral forums to attain its foreign policy ends. At the 7th China-ASEAN Summit in 2003, Beijing joined the grouping's Treaty of Amity and Cooperation (TAC), making itself the first major power to join the non-aggressive pact. More significantly, upon Beijing's initiative, China and ASEAN also signed the "Joint Declaration on Strategic Partnership" at the same meeting. This partnership, despite its "non-aligned, non-military, and non-exclusive" nature, is likely to make the two sides move closer to each other.

In the APT, China recommended that the institution should function as the main channel of cooperation among East Asian countries.[6] It also proposed the APT countries to expand their collaboration from purely economic cooperation to political and security dialogue. Beijing specifically stressed the need for non-traditional security cooperation.[7] It made a parallel attempt in ARF. At the 2003 meeting, China proposed to create the "ARF Security Policy Conference" (ASPC), to be attended by military personnel of the Asian Pacific countries (Breckon 2003, p. 73). The latter move is a great leap forward for a country that had reservations about multilateral security cooperation just a decade ago.

Beyond the auspices of the Sino-ASEAN framework, this period has also witnessed the inauguration of the Boao Forum for Asia (BFA), the expansion of the Shanghai Five into the Shanghai Cooperative Organization (SCO), China's accession to the Bangkok Agreement, as well as China's hosting of APEC Summit, the Third Foreign Ministers Meeting of the ACD, and three rounds of the Six-Party Talks. The timing of these developments is by no means coincidental. Rather, it unequivocally marks the emergence of China's multilateralism at the regional level.

Major Characteristics of China's Multilateralism

The preceding section has discussed the *trend* of China's multilateral involvement. What does the trend tell us about the *traits* of China's multilateralism? This section elaborates on three major features that constitute China's strand of multilateralism.

A Preference for Multilateral Economic Cooperation

China's enthusiasm about ACFTA is in sharp contrast to its cautious attitude towards the implementation of preventive diplomacy in the ARF. China stresses that, in view of the complexity of security issues and the cultural heterogeneity of the region, ARF should progress

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gradually and step-by-step. Specifically, China contends that confidence building should remain the main thrust of the ARF, and that the forum should continue to deepen the discussion and practice on CBMs before moving towards the implementation of the PD stage (Ma 1998, pp. 1–8; Liu 2000). The divergent postures reflect Beijing's tendency of accentuating multilateral economic cooperation over security institutions.

The fact that China shows different patterns of participation in different types of multilateral institutions may well be explained by the notion that different institutions bear different degrees of what Keohane (1986, pp. 1–13) and Ruggie (1993, p. 11) term as expectations of "diffuse reciprocity". For multilateral institutions that China regards as bearing a high degree of diffuse reciprocity — that is, short-term concession may bring about larger long-term benefit, or today's sacrifice in one area may bring about larger benefits in other areas in the future — China appears to have participated in a more proactive and enthusiastic manner. The ACC and the APT fall into this category. On the ACFTA arrangement, Beijing has not only agreed to the "early harvest package" that will give ASEAN states earlier access to Chinese markets than other WTO members, it has also granted special treatment to Vietnam, Cambodia, Laos, and Myanmar. China obviously hopes that the short-term generosity in economic cooperation will lead to long-term political and economic gains. Similarly, China's active involvement in APT is based on an anticipation that its diplomatic efforts will bring about favourable geopolitical and economic outcomes.

However, the reciprocity in multilateral security institutions is much more problematic. According to Guo Longlong (2003), a senior researcher at the Shanghai Institute for International Studies, participation in multilateral institutions always involves a certain degree of concession of sovereignty. In the case of economic institutions, this concession can be exchanged or compensated with market benefits. However, in the case of security institutions, a more intrusive arrangement may result in the erosion of national sovereignty and territorial integrity. Such a concern explains China's cautious stance towards PD implementation, which will inevitably involve particular types of intrusive practices.

China's cautious stance over the PD issue reveals that in spite of Beijing's growing comfort towards the multilateral security forum, China is still concerned about developments that might directly challenge its sovereignty. It dichotomizes security agreements into "less restrictive" and "highly restrictive"; and apparently prefers the former to the latter (Wang 2003, p. 297). For this reason, while China continues to be actively involved in ARF, its bottom line is to ensure that the forum

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will retain its diplomatic and political nature, and not evolve into an intrusive security mechanism that could undermine its strategic interests.

A Reliance on the Use of Soft Power

The second feature is China's readiness to use its growing soft power — notably economic leverage and national image — as a persuasive means to translate its influence into concrete policy interests.

Within the economic sphere, ACFTA clearly is Beijing's prioritized tool that is hoped to bring about a number of political benefits. To begin with, China's ASEAN watchers view that improvement of Sino-ASEAN economic relations is likely to alleviate the China threat theory both in the security and economic senses. In the security realm, close economic links between the two sides is seen as a boon to the management of the Spratly dispute. For instance, CASS researcher Tang Shiping (2002, p. 42) writes:

> If the economic gap between ASEAN and China widens, these countries will be more concerned about the outcome of the Spratly problem. On the contrary, if these countries can benefit from China's growth, they will be more inclined to emphasize on consultation (in managing the Spratly issue).

In the economic domain, China has adopted a number of approaches to assuage ASEAN concerns. These include granting ASEAN access to its market earlier than other WTO members, encouraging Chinese firms to invest in Southeast Asia, as well as providing financial aid for ASEAN's infrastructure development (Ma 2002, p. 37). Through such "co-prosperity" approaches, China hopes to convince ASEAN that "a prosperous China is an opportunity, rather than a challenge, to ASEAN" (Zhang Yunling, in Feng 2002, pp. 60–62).

ACFTA is also expected to bring Beijing other political mileages. Most notable is the closer collaboration between China and ASEAN over international issues. At the moment, the two sides have already seen eye-to-eye on issues such as human rights, multipolarity, and developing countries' position in the global economic order. China hopes that once Sino-ASEAN economic interests became even more intertwined as a result of ACFTA, the two sides will work together even closer on regional and international issues (Dao et al. 2002, p. 10). No less significant for Beijing is that better Sino-ASEAN economic ties also means that Taipei will be left with little room to carry out economic diplomacy with ASEAN.

China's soft power does not only derive from its growing economic clout, but also stems from its emerging image as a responsible power. During the Asian financial crisis in 1997–98, China responded by

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contributing to the IMF-led rescue package for Thailand and Indonesia, and pledging not to devalue the renminbi. Beijing's moves, whether or not carried out entirely altruistically, helped avoid another round of regional economic downturn, thus projecting China as a positive factor in managing the regional crisis. Along with its increasingly cooperative pattern of involvement in regional institutions, China's actions have helped to project it as a responsible and cooperative big power.

For China, this newly emerged image is not just an end in itself. Rather, it is an effective means for Beijing to materialize its foreign policy goals. Cultivating a responsible image is a sine qua non for China's efforts to alleviate the China threat theory, to expand its influence, as well as to construct a favourable regional order. As noted by two Chinese analysts, since political influence can only be effective "when other states not only respect your power but also your opinion, China reasons that the best way for regional political influence is through cultivating an image of 'a responsible (regional) great power'". (Tang and Zhang, forthcoming) Largely driven by this consciousness, China has made numerous efforts to further deepen its cooperative image. Examples are: acceding to TAC, expressing its willingness to accede the Protocol to the Treaty on the Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ), as well as highlighting the peaceful nature of its rise.

A Skill in Capitalizing on the Reciprocal Relationship Between Multilateralism and Bilateralism

Having emphasized the role of multilateralism in China's ASEAN policy, I do not mean to imply that bilateralism has lost its traditional significance. To be sure, close bilateral ties between China and individual ASEAN members have always been an essential foundation for Beijing's multilateral diplomacy. On the other hand, China's increasing involvement in regional multilateral institutions has in turn enhanced ASEAN's political trust in Beijing, thus strengthening the bilateral ties between China and individual ASEAN members. Between 1999 and 2000, China has succeeded in signing bilateral political agreements with all ASEAN countries that are aimed at boosting bilateral long-term cooperation in the new century. Moreover, Chinese leaders have made full use of their attendance at almost all multilateral forums to conduct bilateral meetings with their ASEAN counterparts. For China, the relationship between multilateralism and bilateralism, thus, is a reciprocal one.

Interestingly, the dynamics of this reciprocal relationship are not only found in the Sino-ASEAN relations; it can also be observed in China's relations with other big powers particularly the United States

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and Japan. The annual ARF ministerial meeting, for instance, has provided opportunities for Beijing and Washington to talk on the sidelines. These opportunities are especially important for both sides at times when direct bilateral diplomacy is difficult to conduct, as illustrated by Tang Jiaxuan and Colin Powell's meeting in July 2001 in the aftermath of the EP-3 incident. The same can be said for Beijing-Tokyo interaction. In addition to the ARF meeting, the two countries also have opportunities to meet at the annual APT Summit since 1997, as well as the "China-Japan-Korea Leaders' Meeting" since 1999. As observed by Susan Shirk (2004), in recent years Beijing has attempted to use the APT as a platform to improve the Sino-Japanese relations.

Aspiration to Shape the "Rules of the Game" for Regional Cooperation

In this section, it is argued that China's rising multilateralism has been driven by its underlying aspiration to shape the "rules of the game" for regional institutions, for the ultimate ends of fulfilling the needs of a range of foreign policy concerns.[8]

Unlike other global multilateral institutions at whose organizational designs and rules had largely been determined prior to Beijing's participation, the embryonic regional multilateral institutions — most notably the ASEAN-led institutions and the SCO but also the ASEM and ACD — provide PRC an opportunity to shape their design, dynamic, and direction, which in combination is bound to have a far-reaching impact on the evolving regional order in the twenty-first century.

China's determination in influencing the institutional *design* of the regional forums is clearly illustrated by Beijing's attempts to avoid the ARF turning into a highly intrusive and institutionalized security mechanism as discussed earlier. It is also reflected in Beijing's preference in retaining the diplomatic and political nature of the 24-member forum. In the APT, Beijing has urged the East Asian countries to move beyond economic cooperation and to strengthen their security dialogue and consultation.

In a similar vein, Beijing has also shown its readiness to stimulate the *dynamic* of regional cooperation. An example is China's enthusiasm for developing the ASEAN-China dialogue into a vibrant web of multi-level and multi-sector cooperation. As noted above, by 1997 the ACC has developed as a full-fledged diplomatic mechanism spanning the summit, ministerial, and senior official levels. Over the past few years, the mechanism has stretched into various semi- and non-governmental sectors that include research institutes, the media, youth, and the business community. Its scope has also expanded beyond the realms of

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political dialogue and trade cooperation, to include agricultural cooperation, transport infrastructure development, as well as energy cooperation. While it is important not to attribute this entirely to China's deliberate acts, it is safe to say that the PRC has played a crucial role in pushing for the expansions. Over time, these expansions have interwoven into a web of interdependence between China and ASEAN. Such a web has served as an essential *institutional foundation* for China to advance its policy ends, as illustrated in the initiation and negotiation processes of ACFTA. Without these institutionalized and regularized consultative mechanisms, it would have been difficult for China to advance its various propositions toward ASEAN.

More critically, the PRC has demonstrated its desire to influence the *direction* of the regional institutions to its strategic advantage. In ACC, Chinese initiative for the Sino-ASEAN strategic partnership was proposed with an original idea of calling for "coordination" in foreign and security policy between the two sides.[9] In ARF, China's ASPC proposal is seen as its attempt to prevent the Western-sponsored Shangri-La Dialogue from emerging as the key regional security mechanism, and to "start a separate track". (*FEER*, 5 August 2004, p. 28)

Beijing's assertions in the APT reflect an even more important long-term calculation. China has persistently stressed the need to make the APT the main channel to boost the overall East Asian cooperation. It has been supportive of the goal of establishing an East Asian Community, and took the initiative to push for the creation of the Network of East Asia Think-Tanks (NEAT). More recently, Beijing offered to host the second East Asian Summit in 2007. China's enthusiasm about East Asian cooperation, clearly, is driven by its aspiration to shape the direction of the extant regional institutions. As noted by Tang,

> If the East Asia community can gradually emerge from the basis of the APT process, the function of the existing multilateral institutions is likely to undergo a fundamental *qualitative* change [emphasis added]. For instance, the ARF is likely to transform itself from being a platform for ASEAN to engage in security dialogues with other [non-ASEAN] states, into a platform for East Asian countries to forge security dialogues with other [non-East Asian] states. This will lead to a situation in which the East Asian countries would first seek to reach their consensus within the forum [before they proceed to talk to other non-East Asian countries]. (Tang 2002, p. 39)

For Beijing, regional cooperation with favourable rules of the game — that take the forms of advantageous institutional design, dynamics, and directions — is central to achieving its foreign policy goals towards the

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region. These policy objectives are myriad and interrelated, covering political, economic, and ideational interests, as we have discussed elsewhere (Kuik 2004). Three are of crucial importance, and deserve careful scrutiny here. They are: (a) maintaining a stable regional environment; (b) cultivating a multipolar international order; and (c) expanding its political influence. What follows is an illustration on how multilateral institutions with favourable designs have enabled Beijing to advance these policy interests.

The role of the regional institutions in helping China to preserve a stable external environment can be seen from the management of the South China Sea disputes. Realizing that it is unlikely to resolve the dispute in near future, China has proposed the idea of "shelving the dispute and developing together". Such proposition enables China to insist on its sovereign claim, while avoiding direct confrontation with ASEAN states. ASEAN states, on their part, have persisted in exploring more concrete ways to manage the dispute. In this regard, the two sides have held different preferences. While ASEAN has always sought to negotiate the problem on a multilateral basis, China insists to approach it bilaterally.

The ASEAN-China SOC — an *exclusive* dialogue mechanism that involves senior officials from the 11 countries — has provided the two sides an acceptable platform to discuss the issue since 1995. In 2000, the SOC established a working group to explore the possibility of creating a code of conduct in the disputed area. After three years of discussion, China and ASEAN signed the Declaration on Conduct in the South China Sea in November 2002. For China, this declaration is the best it could hope for. In addition to protecting its sovereignty, the declaration helps to preserve regional stability and a stable Sino-ASEAN relationship. More importantly, it also reduces the possibility for external powers to interfere in the disputes.

Regional institutions are also central to China's aim to promote a multipolar international order. This goal is closely related to the post-Cold War U.S.-China relations (Wang 2003, pp. 297–8). For Beijing, pushing for multipolarity appears to be its only viable option to balance Washington's preponderant power. Partly due to the nature of Sino-American relations that features both cooperative and competitive impulses, and partly due to China's limited comprehensive national strength, Beijing knows that it could only push for this end via diplomatic means, and at the regional level. The ASEAN-led regional institutions thus are critical for this larger goal.

China's multipolarity policy goes hand-in-hand with its move to push for regionalism. Through its efforts to promote regional cooperation and integration, Beijing aims to accelerate the emergence of a tripartite

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world between NAFTA, EU and East Asian groups (Hu 2002, p. 24). Chinese scholars envisage that a successful East Asian integration will substantially enhance the possibility of a multipolar world. In their view, as regional integration deepens and widens, common interests among the East Asian countries will be increased, and their common identity strengthened. As these countries are increasingly forming a collectivity, their interests will become more and more different from those of the United States. Over time, their relationships with the United States are expected to adjust drastically (Shang Qianhong, in "Forum" 2002, p. 56; Qinghua Long-term Strategic Studies Group 2003, pp. 109–14).

Finally, China sees multilateral forums as instrumental to expanding its international influence, especially towards Southeast Asia. Due to geographical, historical and cultural reasons, the region has always been seen as a periphery [*zhoubian diqu*] to which Beijing could exert its influence more effectively. Moreover, considering that other major powers — namely the United States, Japan, and increasingly, India — have also been eyeing the region to wield their influence, Beijing has found it imperative to maintain, and whenever possible, to expand its clout in this adjacent region (interviews, Beijing, November 2002). The advent of regional institutions seems to have offered Beijing a valuable platform to advance these ends.

Specifically, China has adopted a three-prong strategy to increase its influence via regional cooperation:

- *Trade and economic cooperation.* At the core of this strategy are free trade arrangements and regional financial cooperation among East Asian countries.
- *Political cooperation.* Beijing's focus is twofold: deepening ASEAN-China political trust and cultivating East Asian consciousness.
- *Security cooperation.*

These three components are mutually reinforcing. Each requires a multilateral setting. Thus far, China has made progress in all three areas. ASEAN and China began to execute the early harvest plan in January 2004, and signed the Agreement on Trade in Goods in November 2004. Total ASEAN-China trade reached US$105.8 billion by the end of 2004,[10] reaching a target set by Chinese Premier Wen Jiabao one year earlier than anticipated. In comparison, ASEAN-U.S. trade was US$120 billion in 2003 (U.S.-ASEAN Business Council 2004, p. 3). Politically, a more benign view of China has emerged in the region (*New York Times,* 18 October 2003). Political trust between the two sides has developed tremendously (Teo 2004). In the security sphere, the strategic partnership action plan calls for increased dialogues in defence and

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military fields. Simultaneously, the two sides have forged cooperation on non-traditional security issues, ranging from SARS and avian flu to a tsunami warning system. All in all, the net effect is a steady growth of Chinese influence in the region. As observed by an American security analyst, China's present strategic position within the region has never been stronger (Montaperto 2005).

Conclusion

The preceding discussion reveals that multilateralism has emerged as an essential component in China's ASEAN policy at the turn of the twenty-first century. While the creation of the multilateral institutions was not initiated nor preferred by China in the beginning, the PRC has in the course of participation gradually shifted its perceptions and policies toward multilateralism. Over the past decade, China's views of these institutions have undergone drastic change, from caution and suspicion to optimism and enthusiasm. Instead of perceiving multilateral forums as malign arrangements that could undermine its sovereignty and strategic interests, Beijing now sees multilateral institutions as useful vehicles for advancing its own policy objectives. Such perceptual changes have slowly but significantly led to a greater emphasis on multilateral diplomacy in China's Southeast Asia policy. Two main arguments can be posited. First, multilateralism now plays a complementary rather than a supplementary role to bilateralism in China's ASEAN policy. Second, China's multilateral involvement has been driven by an aspiration to shape the rules of the game for regional cooperation. This trend is likely to endure in the decades to come.

In the long run, China's mounting multilateralism will bring profound implications for its overall foreign policy orientation. As Beijing continues to push for a host of multilateral initiatives in shaping the future direction of regional forums, it will inevitably depart from the long-held stance of "never aspire to lead [*juebu dangtou*]" in international affairs. How the development will impact on the emerging regional order is an issue of crucial importance, because the way China exercises its newly acquired power at the regional level today will provide some clue as to how the fast rising power will act on the global stage tomorrow.

NOTES

The author gratefully acknowledges the financial support of the Asian Scholarship Foundation (ASF) as well as the institutional support of the CASS Institute of Asia Pacific Studies (IAPS) and the Shanghai Institute for International Studies (SIIS) in hosting his research fellowships in Beijing and Shanghai.

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1 Despite the fact that China-ASEAN cooperation is structured in a bipartite format (i.e. China on one side and ASEAN on the other), its dynamics and defining features are essentially multilateral. It does not only fit in well with Robert Keohane's definition of "the practice of coordinating national policies in groups of three or more states", but it also entails the two qualitative features of multilateralism stressed by John Ruggie, i.e. "indivisibility" and "diffuse reciprocity". On conceptualizations of multilateralism, see Keohane (1990) and Ruggie (1993).
2 Exceptions are, inter alia, Termsak (1999); Zhang (2002); Hu (2002).
3 Since early 2003, the security-related regional multilateral matters (both Tracks I and II) such as the ARF, the Council for Security and Cooperation in Asia Pacific (CSCAP), the Northeast Asia Security Cooperation Dialogue (NEACD), and the Asia Pacific Roundtable (APR) have been placed under the responsibility of the newly created Division for Regional Security. This organizational change enables the Division for Regional Cooperation to focus on economic-related regional cooperation such as the APT, the China-ASEAN FTA, and the Boao Forum for Asia (BFA). Interviews, Beijing, 2003.
4 This section is drawn from Kuik (2005).
5 Besides ACJCC and ASEAN-China SOC, ACC working mechanisms also include the Joint Committee on Economic and Trade Cooperation, Joint Science and Technology Committee, ASEAN Beijing Committee, ASEAN-China Business Council, Working Group on Development Cooperation, and the Senior Economic-Officials-Ministry of Commerce of China (SEOM-MOFCOM) Consultations.
6 Statement by Chinese Premier Zhu Rongji at the 4th APT Summit, Singapore, 25 November 2000, http://www.fmprc.gov.cn/chn/wjb/zzjg/gjs/gjzzyhy/1140/1141/t4615.htm, accessed on 12 December 2003.
7 Statement by Chinese Premier Zhu Rongji at the Fifth APT Summit, Bandar Seri Begawan, 5 November 2001, http://www.fmprc.gov.cn/eng/wjb/zzjg/gjs/gjzzyhy/2616/2618/t15364.htm, accessed on 12 December 2003.
8 This is one of the common themes highlighted, either implicitly or explicitly, by leading Chinese scholars in a special collection on China's multilateral diplomacy published in the October 2001 issue of *World Economics and Politics*. See also Zhang (2000) and Men (2003).
9 This was explicitly stated in the original text. When some ASEAN countries expressed reservations about the wording, Beijing retreated to more permissive language. See "A Crowded Neighbourhood", in *Georgetown Southeast Asia Survey 2003–2004*, p. 14 (Dalpino and Steinberg 2004). The agreement was eventually signed by the leaders, with the final text calling for "cooperation" in politics, economy, social affairs, security and international and regional affairs. See Joint Declaration of ASEAN-China on Strategic Partnership for Peace and Prosperity, http://www.aseansec.org/15265. htm, accessed on 18 August 2004.
10 China's Ministry of Commerce website, http://yzs.mofcom.gov.cn/article/200501/200501003405 07_1.xml, accessed on 30 January 2005.

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Contemporary Southeast Asia 27, no. 1 (2005): 123–45 ISSN 0219-797X

The Relevance of the ASEAN Regional Forum (ARF) for Regional Security in the Asia-Pacific

DOMINIK HELLER

This article discusses the structure and the functioning of the ASEAN Regional Forum (ARF) and then proceeds to analyse ARF's achievements, expectations, as well as increasing perceptions of its irrelevance as a security institution. It suggests that any analysis of the relevance of the ARF first has to examine whether the interests of its central members are opposed to the ARF's agenda and raison d'être. The three most powerful national actors (the United States, China, and Japan) and the Association of Southeast Asian Nations (ASEAN) all have an interest in supporting the ARF. It argues that the ARF is a forum that reflects the convergence of strategic interests of both the regional and external actors. Nevertheless, it concludes with the observation that the effects of the ARF are surely not sufficient to fully secure peace and stability in the Asia-Pacific, but it is arguable whether any form of institution could satisfy this goal.

Introduction

This article uses the term institution as defined by James G. March and Johan P. Olsen: "In a general way, an 'institution' can be viewed as a relatively stable collection of practices and rules defining appropriate behaviour for specific groups of actors in specific situations." (March and Olsen 1998, p. 948). Against this backdrop, security institutions are institutions that have an impact on the special field of security (Keck 1997, p. 35). Haftendorn (1997, p. 16) points out the following impacts that make security institutions relevant:

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- Like all institutions security institutions have the general function of influencing the action of their members towards continuing cooperation by installing accepted rules of behaviour despite competing interests.
- In addition, security institutions have the specific function of facilitating cooperation among their members in the provision of security, that is, territorial integrity, political self-determination and economic well-being, against any military threat.

Applying these conditions to the ARF, we will examine its suitability to foster regional security cooperation to determine its relevance. According to Haftendorn, national security is defined in the dimensions of territory, sovereignty and economy. The explicit notion of military threat as the main danger to national security is very important because it rules out the far broader notion of *comprehensive security* (Dewitt 1994, p. 9), whose operationalization lies outside the scope of this article.

As any institution will only be relevant if it does not harm the core interests of its member-states too much in an overall cost-benefit calculation,[1] this analysis of the relevance of the ARF first has to examine whether the interests of its central members are opposed to the ARF's agenda and raison d'être. The three most powerful national actors (United States, People's Republic of China, and Japan) and the Association of Southeast Asian Nations (ASEAN) all have an interest in supporting the ARF. Because both China and the ASEAN states fear that foreign investment might shy away from their economies if there is regional instability, they favour an environment that is as peaceful and calculable as possible. Furthermore, China has to participate in the ARF because it cannot risk confirming the anxieties of its neighbours, who might gang up in a regional institution against the country (Leifer 1996, p. 29; Foot 1998, p. 439; Umbach 2002, p. 254). China hoped to overcome its international isolation after 1989 by joining international fora like the ARF (Johnston 1999, p. 296). For Japan the ARF is a possible way "to deepen its political relationship with ASEAN [...] and to solidify its strategic position toward China. Such a strategy is an insurance policy, supplementary to the U.S.-Japanese alliance, in case China changes into an actual adversary" (Kawasaki 1997, p. 490). Second, a multilateral framework is the sole possibility for Japan to gain more political leverage in East Asia as its militant past still limits Japan's room for manoeuvre. Third, it is in Japan's interest to have a multilateral structure in place to address the Korean and the Taiwan conflicts in its vicinity.

The United States was willing to embrace the forum as soon as it became clear that the ARF would not affect its close alliances with

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South Korea and Japan (Wanandi 1998, p. 59). To integrate these two key allies into a common cooperative framework was a major incentive for the United States to support the ARF (Leifer 1996, p. 28). Both do not have a habit of easy cooperation due to their past conflicts and existing territorial disputes. Furthermore, the ARF was seen as a good way to ease the worries of many governments in the region that the United States would withdraw troops (Takur 1998, p. 12) and therefore increase the strategic standing of China in the region (Goh and Acharya 2003, p. 283). Although the United States should be very interested in regional conflict management the current Bush government does not see multilateralism as the instrument of choice. But even the Pentagon has finite resources and the United States is already heavily engaged in Afghanistan and Iraq. The fact that every big conflict in East Asia (Korea, Taiwan, Kashmir) involves nuclear powers is also a strong incentive for America to support diplomatic frameworks in the region.

Because of all this, the ARF does not harm the core interests of its prime actors. It is not destined to fail because of the main actors' national interests. But this sine qua non in itself is not sufficient to make the ARF relevant for East Asia's regional security. To assess its relevance it is necessary to understand the structure and functioning of the ARF.

Members of the ARF

Today the ARF consists of 23 member states following the accession of Cambodia (1995), Myanmar (1996), India (1996), Mongolia (1999) and North Korea (2000) to the 18 founding members in 1994. Each member of the ARF has had a prior link to ASEAN. Table 1 shows how strongly the ARF is built upon the structures of ASEAN.

Arenas of the ARF

The ARF has two parallel arenas (Nabers 2001, pp. 96ff). A formal intergovernmental process, in which official representatives in their official capacity meet in an official surrounding (*track one*). The centrepiece of track one is the annual summit of the members' foreign ministers. It usually takes place in July and is — like the whole institution — called ASEAN Regional Forum. The Foreign Ministers' Meeting is organized by the country that at the time is in charge of the rotating ASEAN chair. One of the chair's tasks is to coordinate all track one activities during its one-year chairmanship. The ARF has no secretariat or staff of its own. All work is done by respective departments in the foreign ministries of the member states (Johnston 1999, p. 299). The second very important feature of the first track activities is the Senior

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TABLE 1
Members of the ARF, May 2004

Member via	*States*
ASEAN	Thailand, Indonesia, Malaysia, Singapore, Philippines, Brunei, Vietnam, Laos, Myanmar, Cambodia
ASEAN-dialogue-partner	EU (-presidency), Japan, South Korea, Australia, New Zealand, United States, Canada, PR China, Russia, India, Mongolia
ASEAN-observer	Papua New Guinea, North Korea
	ASEAN-Secretary General

SOURCE: ASEAN[2]

Officials Meeting (SOM). Convened each year in May, it discusses the prime topics and the agenda for the upcoming Foreign Ministers' Meeting. This structural backbone of the ARF has been supplemented during the 1990s. The 2nd ARF meeting in 1995 decided to institute one Inter-Sessional Group (ISG) and several Inter-Sessional Meetings (ISMs) between two ministerial meetings. These mechanisms focus on certain topics and are usually co-chaired by two or more ARF-members. They are installed by the foreign ministers meeting and mandated for the year to come.

Parallel to this official dimension, there is *track two*, an informal academic sector where scientists, experts and officials in their private capacity meet for discussions. Supplementary to the work of the foreign ministries, track two seminars and institutions perform precious thematic work that can be utilized by the official fora. The main actors in track two are the leading Institutes for Strategic and International Studies associated with ASEAN (ASEAN-ISIS) and the Council on Security Cooperation in the Asia-Pacific (CSCAP) (see Nabers 2001, p. 106). The exchange between both tracks is institutionalized via the ARF chair. However, track one is not using the full potential of its unofficial counterpart as a recent CSCAP initiative for better linkage of both tracks indicates. The latter was fully endorsed by the ministerial meeting of the 10th ARF in 2003.[4] The boundary between both tracks is blurred by officials who also participate in track two activities (Johnston 1999, p. 303). This is an asset for the whole ARF process because it increases and accelerates the exchange between both tracks. Track two has three sophisticated functions:

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TABLE 2
ARF Working Groups

active from	*Topic*
2002–today	ISM on combating terror and international crime
1995–99	ISM on disaster relief
1995–97	ISM on peacekeeping operations
1995–97	ISM on search-and-rescue cooperation
1995–today	ISG on confidence-building measures

SOURCES: ARF, Chairman's Statements, 2nd to 10th ARF meetings

- *Testing-ground function*: it is possible to discuss topics in track two that are too sensitive for the official area (Nabers 2001, p. 106), thereby facilitating the exchange of unofficial positions among proponents of competing interests without any loss of face.
- *Integrative function*: those members of the ARF that want faster and further progress of the whole process can push their agendas in track two and are therefore kept interested in the ARF as a whole (Johnston 1999, p. 302).
- *Neutralizing function*: a convincing proposal can make its way to track one if it stands the test in track two, even if it would otherwise have been unacceptable to some members because of its origin (Johnston 1999, p. 303).

Principles and Norms of the ARF

The central position of ASEAN within the ARF is most clearly reflected in the norms on which the ARF are based. The Chairman's Statement of the 1st ARF in 1994 builds upon the principles of ASEAN's Treaty of Amity and Cooperation in Southeast Asia (TAC). This central ASEAN document from 1976 in Article 2 demands "the following fundamental principles:

a. Mutual respect for the independence, sovereignty, equality, territorial integrity and national identity of all nations;
b. The right of every State to lead its national existence free from external interference, subversion or coercion;
c. Non-interference in the internal affairs of one another;
d. Settlement of differences or disputes by peaceful means;
e. Renunciation of the threat or use of force;
f. Effective cooperation among themselves."[5]

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These norms can be grouped according to three higher principles: non-interference in domestic affairs (a–c), renunciation of the use of force (d, e) and cooperation (f). This is fleshed out with procedural norms by the so-called ASEAN Way, whose decision-making is characterized by (based on Stahl 2001, pp. 34ff):

- the search for compromises acceptable to all (*musyawarah*),
- consensus principle (*mufakat*),
- private talks (*empat mata*),
- extensive unofficial exploratory talks with all parties involved before initiatives are formally launched (*feeler technique*),
- a sense of community spirit (*gotong-royong*),
- decent and modest behaviour (*nobody leads principle*), and
- the search for a general agreement, even if there is yet no common understanding concerning the specifics of its realization (*agreeing first, details later*).

The ASEAN Way is congruent with findings of theories in international relations. It is a way of utilizing the "shadow of the future" for the fulfilment of agreements by basing these agreements on a long-term relationship instead of one-time contracts (Axelrod and Keohane 1985, pp. 226ff). Analogous to game theory, this makes a repetition of interaction more likely. Therefore, gains of defection must be cross-checked with the missed profits of not just one but several rounds of cooperation. This makes defection less attractive, if one-time defection does not pay more than future rounds of successful cooperation. The culture of negotiation in East Asia intensifies this mechanism even more by placing paramount importance on actors' reputations. A loss of face is negative in two ways: not only will the one actor hit by the defection no longer cooperate, but all potential future partners who know about a defector's bad reputation will refuse to cooperate. With the steady cooperation of two or more partners over time even sophisticated features of negotiation such as diffuse reciprocity and issue-linkage become a rational strategy. In addition, the transaction costs of cooperation are much smaller than in a legalistic system, because the monitoring of cooperation works without expensive formal verification processes and costly formal contracts at a simple but efficient social level.

Objectives and Instruments of the ARF

The Chairman's Statement at the 1st Foreign Ministers' Meeting defines the general objective of the ARF as follows:

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> Recognizing the need to develop a more predictable constructive pattern of relationships for the Asia-Pacific region, the Meeting expressed its firm conviction to continue to work towards the strengths and the enhancement of political and security cooperation within the region as a means of ensuring lasting peace, stability, and prosperity for the region and its peoples.[6]

The overall stability in the Asia-Pacific shall be enhanced by improving bilateral and multilateral relations among the regional states. As a means to that end the ARF increases issue-oriented intergovernmental cooperation. The 2nd ARF in 1995 established the concept of a three-stage evolution of ARF objectives, with which the relations among ARF member-states should be permanently improved.[7]

Stage 1: Confidence-Building

Pillar one of ARF confidence-building consists of the norms incorporated in the TAC (non-interference, renunciation of force, cooperative spirit), the norms of the ASEAN Way (goodwill, consensual negotiation style), and the regular meetings of representatives of diverse member states that are supposed to ease mutual suspicion and prejudice. Steady academic contacts and joint work on set issues by persons from all member-states in track two are supposed to have similar effects, and "over time, these Track Two activities should result in the creation of a sense of community among participants of those activities".[8] Pillar two of the confidence-building efforts within the ARF consists of direct confidence-building measures (CBMs) agreed upon in the Foreign Ministers' Meetings. CBMs in the ARF context are best defined as measures to prove cooperative spirit and sincerity in a credible manner. CBMs to this day are the most important part of the ARF. They are the subject of the oldest surviving working-groups (see Table 2) and they have been steadily extended. The Chairman's Statement at the 3rd ARF[9] notes the following CBMs:

- Circulation of position papers regarding regional security;
- Circulation of position papers regarding national security;
- Publication of national defence white papers;
- Participation in the UN Register of Conventional Arms (UNRCA) and circulation of these reports within the ARF;
- Prior notification on military manoeuvres; and
- Participation in mechanisms of arms control.

These first CBMs were all aimed at increasing transparency. Meanwhile, further CBMs have been introduced, which are supposed to foster networks of connections among persons from all member-states. The most important of these are:

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- Joint workshops to further educate and mutually introduce defence officials;
- Mutual visits of military facilities;
- Exchange of defence staff; and
- Annual meeting of the chairs of the respective National Defence Colleges.[10]

Stage 2: Preventive Diplomacy (PD)
This stage is supposed to smoothly follow stage one and the established CBMs. Both stages are expected to work parallel for some time until the means of preventive diplomacy are fully introduced. Some overlap measures that can be seen as part of stages 1 and 2 already exist.[11] PD within the ARF is characterized by the following:

- "It relies on diplomatic and peaceful methods such as diplomacy, negotiation, enquiry, mediation, and conciliation.
- It is non-coercive. Military action or the use of force are not part of PD.
- It should be timely. Action is to be preventive, rather than curative. PD methods are most effectively employed at an early stage of a dispute or crisis [...].
- It is conducted on the basis of neutrality, justice and impartiality [...].
- It operates on the basis of consultation and consensus. Any PD effort can only be carried out through consensus after careful and extensive consultations among ARF members [...].
- It is voluntary. PD practices are to be employed only at the request of all the parties directly involved in the dispute and with their clear consent.
- It applies to conflicts between and among States".[12]

Stage 3: Elaboration of Approaches to Conflicts
Conflict management and "elaboration of approaches to conflicts"[13] are officially proclaimed to be the optimum stage of the ARF's development. To date there is no evidence of the ARF reaching this stage. Currently the ARF is in an overlap-phase between stages 1 and 2 without being able to undertake PD measures, yet. The desire of the ARF to move forward to the second and third stage is reiterated by representatives and in official statements but there is no particular timetable for this to happen. All instruments of the ARF work on a voluntary basis. There are no institutionalized enforcement structures, verification mechanisms or official sanctions for uncooperative behaviour. That mirrors the TAC principles of absolute sovereignty and non-use of force, as well as the

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hesitation of big powers like the United States and China to limit their options. This primacy of national sovereignty leads to broad scepticism towards greater legalization of the ARF on the part of these members.

Stability and Participation

A break-up of the ARF is unlikely; it does not impact enough on its members' national interests. They do not need to worry about undue legalization of the ARF. All Chairman's Statements so far have stressed that the ARF will only move at a pace comfortable to all its members.[14] The burden of frustration is passed on to those members that want the ARF to evolve faster. They are bound to the lowest common denominator by the consensus principle in ARF decision-making. But these more progressive members are also unlikely to leave because this would generate no positive effects for them. They would rather lose interest but nominally remain members of the ARF. So far such an internal retreat cannot be observed. The level of participation within the ARF varies but the average level of support in the three evaluated categories "chairmanship of the ARF", "chairmanship of the ISG/an ISM" and "hosting a workshop/seminar" is good.

As no central office is collecting data on ARF events, the number of meetings taken into consideration in Table 3 also has to be understood as a minimum. There is no proper data available at all on personnel exchange programmes. There are some CBMs that are not included in the enumeration above, for instance the exchange of military staff (Caballero-Anthony 2002, p. 536; Dupont 1998, p. 4) and the exchange of observers visiting military manoeuvres (Johnston 1999, p. 290). Table 4 shows the degree of introduced CBMs to increase transparency in the Asia-Pacific. It is likely that this officially documented number of implemented transparency-CBMs does not give the full picture. Nonetheless, even this verified level of CBM introduction indicates considerable support for the ARF among most members.

Besides the lack of comprehensive data another qualification has to be made: Table 3 clearly shows that all less active members (Cambodia, Laos, Mongolia, North Korea and Papua New Guinea) are also relatively poor countries and ARF activities involve considerable costs, which the host nation has to cover itself. It seems that the less resourceful members are already fully stretched with staffing all ARF meetings (Tan et al. 2002, p. 64), while the wealthier ASEAN members will have to assist the new regional members with capacity-building. The older members as well as the ASEAN Secretariat have to help the newer ones in organizing ASEAN meetings and doing supportive work.[18]

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Table 3
Participation within the ARF from 1995–2002

Member (accessors with year of acc.)	*ARF-chair, ASEAN only*	*Chair of ISG or ISM*	*Host of Workshop*
Australia		xx	xxxxx xxx
Brunei	xx	xx	xxx
Cambodia (1995)	x		x
Canada		xx	xxxxx
European Union			xxxx
India (1996)		xx	xxx
Indonesia	x	xx	xxx
Japan		xxxx	xxx
Laos		xx	
Malaysia	x	xxxxx x	xxxxx xxx
Myanmar (1996)		xx	
Mongolia (1999)			x
New Zealand		xxxx	x
North Korea (2000)			
Papua New Guinea			
Philippines	x	xx	xx
China		xxxx	xxxxx
Russian Federation		x	xxxxx
Singapore	x	xxxx	xxxx
South Korea		xx	xxxxx xxx
Thailand	xx	xxxx	xxxxx xx
USA		xxxxx x	xxxxx xxx
Vietnam	x	xxx	x

SOURCES: ASEAN-Secretariat;[15] Department of Foreign Affairs, Australia.[16]

The official list of the UNRCA in November 2003 registers all ARF members despite Myanmar and North Korea being reporting states.[19] The data concerning the defence policy statements in Table 5 is as of 2003. These statements are compiled in ASEAN's *Annual Security Outlook* (ASO) and publicly accessible. Although members that are generally active in the ARF are also active in publishing their defence policy statements, the number of contributors to the ASO is decreasing. While it is reasonable to explain the coolness of Indonesia by its internal problems, the lack of interest by Brunei, India, Malaysia, the Philippines and Vietnam is harder to understand. The continuing support of this instrument by North Korea on the other hand is surprising.

The analysis so far, however limited by the accessible data, suggests that there is a core of very active members in the ARF. These members introduced almost all CBMs, as can be seen by the great number of

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TABLE 4
Realization of transparency-CBMs within the ARF up to 1998

Member	*Defence policy statement*	*Defence White Paper*	*Reports to UNRCA*	*UNRCA reports to ARF*
Australia	x	x	x	x
Brunei			x	
Cambodia	x			
Canada	x	x	x	x
EU			x	
India			x	
Indonesia		x	x	
Japan	x	x	x	x
Laos				
Malaysia	x	x	x	x
Mongolia		1998 not yet a member.		
Myanmar	x			
New Zealand	x	x	x	x
North Korea		1998 not yet a member.		
PNG				
Philippines		x	x	x
China	x	x	x	x
Russian Fed.		x	x	
Singapore	x	x	x	
South Korea	x	x	x	x
Thailand	x	x	x	x
USA			x	x
Vietnam	x		x	

SOURCE: Department of Foreign Affairs, Australia[17]

workshops hosted (Table 3), the number of defence white papers issued (Table 4), the reports sent to the UNRCA (ibid.) and the formulation of defence policy statements (Tables 4 and 5). The United States, China, Japan, Russia and India have increased ARF's relevance by their collaboration. Having established that the ARF is not crippled by low-levels of support by its members, it is important to ask what the impact of the ARF is on regional security.

The ARF's Realizable Goals

Increasing the Appeal of Security Cooperation

One achievement of the ARF is its enhancement of the appeal of cooperation in the field of regional security by guaranteeing its members

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TABLE 5
Participation in the *Annual Security Outlook*

	ASO 2000	*ASO 2001*	*ASO 2002*	*ASO 2003*
Australia	x	x	x	x
Brunei			x	
Cambodia		x	x	x
Canada	x	x	x	x
China	x	x		
EU	x	x	x	
India	x			
Indonesia				
Japan	x	x	x	x
Laos				
Malaysia		x		
Mongolia	x	x		
Myanmar				
New Zealand	x	x	x	x
North Korea		x	x	x
Papua New Guinea				
Philippines				
Russian Federation	x	x	x	x
Singapore	x	x	x	
South Korea	x	x	x	x
Thailand	x	x	x	x
USA	x	x	x	x
Vietnam		x		

SOURCES: ASEAN, *Annual Security Outlook* 2000, 2001, 2002, 2003[20]

that they will meet again in future rounds of cooperation. Due to the multiple interactions of members within the ARF, defection is less attractive: any party that reneges on its obligations must consider negative reactions of other parties because they will interact again. Therefore the negative effects of defection such as balancing behaviour or the loss of gains of future cooperation have to be taken into account. The realist objection that a singular defection may be enough to wipe out or conquer a national actor in the international arena, implying that this actor in question cannot retaliate, is not convincing regarding the ARF. Although the forum is clearly not a system of collective security it is unlikely that antagonistic powerful actors, who see their interests in the region being at stake (e.g. the United States and China), would all accept such an alteration of the status quo. Moreover the ARF can be seen as a litmus test: once a member acts aggressively the breach of the ARF's code of conduct is a clear warning signal for all remaining actors (Acharya 2001, p. 182). This might lead to a suspension or even a breakdown of the ARF, but it shows that any actor within the ARF is

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very likely to survive a first defection. As long as actors have an interest in the existence of the ARF or in their reputation they are well advised not to defect first.

The ARF fulfils the criteria of regime theory that have to be met to categorize an institution as a regime (Krasner 1983, pp. 2ff). First, it consists of principles laid out in the TAC, norms taken from the ASEAN Way, and procedural rules, which are derived from these norms. Second, although the ARF does not incorporate formal sanctions it has formulated sufficient principles, norms and rules to bring about a higher predictability of members' future actions. Third, the CBMs within ARF result in increased information that would not be available otherwise, increasing transparency in the Asia-Pacific. Fourth, the ARF achieves all this with very modest transaction costs compared to the bilateral consultation of the concerned members, the setting-up of parallel negotiations of several governments or the gathering of information by secret services if the ARF did not exist. In addition, the ARF functions as an important channel of communication for governments in the region. All of these functions make the ARF attractive to actors in the region — and as the appeal of the ARF grows, so does the appeal of regional security cooperation.

Broadening and Deepening Security Cooperation

The genesis of the ARF supports the functionalist hypothesis that cooperation arises when states can only cope with specific problems in common. Before the advent of the ARF there was no region-wide multilateral dialogue on security matters, except for cooperation between the United States and its allies and rather timid talks within the ASEAN-6. With the end of block confrontation in the early 1990s, the need for security cooperation in the Asia-Pacific was imminent because the former balance of power no longer existed. Once established, the limited agenda of the first two ARF-meetings in 1994 and 1995 was steadily expanded and new topics were introduced to the process. At the 10th ARF in 2003 traditional security matters such as weapons of mass destruction, current conflicts (North Korea, the South China Sea, Aceh, Kashmir, Sri Lanka, the Solomon Islands) as well as non-traditional security threats (terrorism, piracy, transnational crime, money-laundering, smuggling, and the slave-trade) were addressed in the official arena.[21]

Besides this broadening of the agenda and the increasing number of participants in the ARF, the enhanced substance of regional security cooperation can be observed in the form of the nature and number of CBMs invoked. The introduction of CBMs in East Asia is a major achievement of the ARF. Members negotiate hard about the evolution of the accepted CBMs to more intrusive measures under PD. So far, the

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consensus principle has blocked more far-reaching efforts. The transplanting of "European" CBMs — derived from the experience of the CSCE/OSCE — to East Asia is problematic. Basically, the only CBMs that work [in East Asia] are those encouraging transparency (Krause 2001, p. 77). This again is rooted in the refusal to limit national sovereignty. Compared to the institutional genesis of ASEAN, the ARF has been developing rather quickly (Hay 1997, p. 25). This achievement cannot be taken for granted as multilateral security cooperation is a new concept for most players in the region,[22] so that there is hardly any experience that can be drawn upon.

Facilitating Common Perceptions

The most fruitful theoretical contribution to the assessment of the ARF in its current state of development is made by constructivism. Its recognition that no situation is simply "given" but always constructed by the perception and values of the involved actors (Wendt 1999) is especially valuable.

> It is the cognitive features of the environment the attitudes of the players toward each other, the rules and norms governing international interaction, the scope and nature of the security dilemmas that the actors perpetuate among themselves- that effectively determine the particular form of regional order that results (Brian Job, quoted in Caballero-Anthony 2002, p. 36).

The Pentagon's East Asian Strategy Report in 1998 rated misunderstandings as a serious danger for regional security (Cohen 1998, p. 34). The cross-checking and bringing together of perceptions of different actors and the re-evaluation of negative attitudes and prejudices among members within the ARF is an important measure of conflict prevention. For example, a security dilemma (Axelrod 1987, p. 7) can be quite easily overcome by credible direct communication. As this requires direct exchange of positions among the parties concerned, a structure like the ARF, which facilitates the necessary contacts, becomes valuable in itself (Krause 2003, p. 127).

The focus on social construction of perceptions and actions in constructivist theory is congruent with the ASEAN Way's principles: cooperation based on personal experience among actors, instead of legalistic contracts. The ASEAN Way and constructivism both stress the importance of social learning, socialization and the reassessment of perceptions among actors. Both stress the importance of a positive atmosphere and shared norms for the success of interactions. The Vice-Chairman of CSCAP Singapore, Kwa Chong Guan (2003, p. 151) put it this way:

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> The Asian way to peace [...] is based upon building social relationships of solidarity founded upon affinity, affection or kinship, *gemeinschaft* in the terminology of the sociologist Ferdinand Tonnies, rather than upon contractual relations founded upon a division of labour and responsibilities, or *gesellschaft*. *Gemeinschaft* leads to mutual trust and consensus building.

Whether this demanding claim of socially grounded intergovernmental cooperation can be substantiated by the extremely heterogeneous ARF in the near future is doubtful. But along the lines of social learning and socialization, frequent personal contacts of representatives in first and second track activities combined with the joint organization of events, staff exchanges, the increasing acceptance of shared norms, and enhanced transparency, all contribute to the checks and adjustments of assessments of other members' characters. The transformation of inherited negative images of other actors into actual, more positive ones is highly important to create the necessary level of trust for accepting common non-violent norms. The ARF supports this development: "There is a culture of communication and common values emerging. The main common value is avoiding war and conflict to provide stability for sustaining economic development. The ASEAN values in the ARF bear fruits now".[23]

Over the years the ARF has facilitated transnational networks among individuals involved in regional security. This function of the ARF is explicitly praised in the 2003 Chairman's Statement:[24] "These networks form 'social capital', a stock of trust, familiarity, ease and comfort, which could become crucial assets at critical moments" (Caballero-Anthony 2002, p. 37). The mutual rapprochement and the growing convergence of perceptions, as well as the convergence of the internal and external image of national actors is reducing the danger of risky misperceptions and positively influences the interaction and possibly even the definition of interests by the actors (Chen 2003, p. 168). The prospect of common gains and falling hostility-costs again supports cooperation.[25] Over time this could, ideally, result in a sense of common responsibility for stability in the Asia-Pacific, in a form of security community based on a collective identity (Acharya 2001).

The ARF's Constraints/Lack of Performance

It is useful now to discuss functions that some authors see as integral parts of security cooperation but which are not dealt with in the ARF. All of these have either never been part of the ARF's raison d'etre or shall be faced at future stages of its development.

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Provision of Collective Security
The ARF is not a system of collective security and was never intended to be one. There are no mechanisms of mutual assistance in the case of outside attack. There are not even formal sanctions if a member of the ARF acts aggressively. The ARF does not enhance member's security by (neo-)realist means like deterrence or balancing. Member's security is increased by the ARF solely *before* armed conflicts by increasing the costs of breaching the norm of renunciation of force among the members and as an arena of social learning, in which actors reassess their perceptions and objectives.

Direct Conflict Management
The ARF has no mechanisms of direct conflict management. Stage three of its planned evolution is supposed to deal with this matter, but to date there have been no steps taken towards this goal. Keeping in mind the enormous problems several members already have with the less intrusive second stage of the ARF quick progress to conflict management seems very unlikely. Indeed, direct major influence on any of the region's urgent conflicts is not evident: "It is too much to expect that the ARF will solve any of the regional conflicts like Taiwan, Korea or the South China Sea".[26] What can be observed is the ARF's indirect influence on conflicts by ameliorating the overall regional atmosphere, by improving mutual understanding among actors, by stabilizing cooperative norms, and by increasing regional transparency.

Autonomous Action
Because of its low institutionalization and the non-binding character of its decisions the ARF has no capacity for autonomous action. The enhanced role of the ARF chair includes the right to introduce topics to the ARF agenda, but it does not allow for independent action. According to Robert Keohane's (1989, p. 5) three criteria to measure the institutionalization of regimes — namely, communality, specificity, autonomy — the ARF has to be assessed as shown in Table 6.

This low level of institutionalization is impractical because it precludes the ARF from having a gravitational centre and dedicated staff; an ARF Secretariat could ease this problem. This step is frequently demanded at track two level (Tan et al. 2002, pp. 63ff; Wanandi 1998) but no concrete steps have been undertaken so far.

Hypotheses for ARFs Irrelevance
Hypotheses about ARF's irrelevance are usually based on assumptions that are too narrow or do not stand the test of reality. The hypothesis

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TABLE 6
Institutionalization of the ARF

Criterion	*Manifested in*	*Given ?*
communality	acceptance of central norms by all members	Yes
specifity	arrangement of specific procedural rules	No
autonomy	arrangement of rules without consent of all members	No

that ASEAN is the wrong core of the ARF for it to have an impact on major conflicts further north than the ASEAN realm is not convincing (Simon 1998, p. 204; Leifer 1996, p. 59). First, all these conflicts are discussed during the ARF ministerial meetings.[27] Second, the ARF has decided upon a particular dialogue of Northeast Asian states within the ARF.[28] Third, distance is not necessarily a disadvantage. ASEAN has no direct stakes in any bigger regional conflict, is not leaning too closely to either of the two political poles, the United States and China, and is therefore acceptable to all parties as a potential mediator. One should stress again that this special position was the main reason why ASEAN managed to take over the drive towards the establishment of a regional security institution in the early 1990s (Tan et al. 2002, pp. 20ff; Dosch 1997, p. 6). But two claims of ARF's irrelevance concerning the ASEAN Way deserve closer scrutiny.

The ASEAN Way Blocks Necessary Decisions

A frequent criticism of the ARF is that the ASEAN Way was inappropriate for the heterogeneous ARF (Leifer 1996; Narine 1997; Lim 1998, p. 15). Western socialized[29] members of the forum are impatient with indirect discussions, the consensus principle and non-binding decisions lacking measures of verification and sanctions (Umbach 2002, p. 159; Tan et al. 2002, pp. 45ff). They want a forum determined by strong legalization and quickly moving forward with PD and conflict resolution (Garofano 1999, p. 77; Umbach 2002, p. 159). The implicit and mistaken assumption is that deeper legalization of the ARF would be advantageous for regional security. They want an ARF comprising the same members and a) decision-making without unanimous consensus, b) legally binding decisions, and c) sanctions for members that do not introduce ARF-measures. Two points have to be made against this.

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First, several regional states simply will not accept or join such a forum (Tan et al. 2002, pp. 45ff). Second, the ASEAN Way within the ARF has the big advantage of rendering participation attractive for *all* members because it functions like an insurance policy. If the ARF is working too hard against core interests of a member, it can stop the progress of a particular topic or refrain from endorsing the decisions taken. Therefore, the consensus principle has a stabilizing effect.[30] This does not mean that blocking the ARF is a decision without consequences but it is possible as a kind of emergency break. Blocking a topic is not easy because members' reputations are at stake. There are increasing image costs from backing out and sabotaging the institution as it becomes more legitimate to a wide range of players (Johnston 1999, p. 306). The incentive of obedience within the ARF stems from peer pressure, combined with the experience that the ARF is advantageous to each country's particular interests and that further cooperation would be complicated by defection (see Leifer 1999, p. 27). The implicit assumption that a more legalistic ARF will bring faster and more substantial results is not convincing because several members, most notably China, would rather leave the forum than accept decisions that in their view impinge too heavily on their national interests. The price that has to be paid to engage these countries is a slow pace of development and the absence of binding decisions. Former ASEAN Secretary-General Rodolfo C. Severino explained this logic:

> The general approach is based on dialogue, consultation, cooperation, engagement and interaction.[...] There is no other way. In the real world [...] a balance has to be sought — and constantly adjusted — between what is desirable and what is possible, between the ideal and the practical, between ambition and reality.[31]

The rise of cooperation in international relations is always directly dependent on the elbow room given to national interest. The ASEAN Way works towards convincing ARF members that they do not run a risk with enhancing this space. Each time this is successful further deepening of cooperation is possible by widening the limits of the overall framework. In an ideal case a self-enforcing effect, a spiral of trust and cooperation within the ARF will be the result of this approach. This form of cooperation is less tangible than the legalistic Western way but it works. The absence of open war within ASEAN despite serious conflicts among its members and the socialization of an aggressive Indonesia deliver good proof of this.

The ASEAN Way Blocks the ARF's Evolution

The criticism that the ARF has not evolved quickly enough mainly stems from too high expectations. Since 1997/98 members have decided

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on several institutional evolutions. In 1998 the ARF introduced an Annual Meeting of the Heads of Defence Colleges in the Asia-Pacific.[32] In 2000, members agreed on the installation of an experts/eminent persons group (EEG), which shall counsel the ARF in crisis.[33] Since 2000, members' defence policy statements are no longer confidential and published as the *Annual Security Outlook* (see Table 5). The ARF chair has been equipped with more competencies. In the beginning its sole task was to organize the two major meetings (ARF, SOM) and to facilitate communication among the members. Now it has also the right to put topics on the official ARF-agenda and can recommend certain issues to be discussed. Also the chair can now highlight dangerous developments in the region without prior consensus.[34] Again in 2001, a specific meeting for defence officials and military representatives was set up to better integrate these important staff.[35] All this indicates that the ASEAN Way does not work against evolution, but merely against rapid evolution.

Conclusion

The ARF's social control mechanisms and its approach of ameliorating certain conflicts by improving overall relations among actors in the Asia-Pacific work slowly but successfully. The model of social learning in constructivist theory best explains the ARF's goal of improving actors' attitudes towards each other, positively changing their definition of risks and finally altering their formulation of national interests towards peace and cooperation. The ARF functions as an arena in which members are exposed to continuing mutual contact. They are supposed to steadily cooperate and demonstrate their good intentions. The increasing appeal, the broadening and the deepening of security cooperation, and the adjustment of conflicting perceptions among its members are obvious positive effects for regional security. Furthermore, the ARF code of conduct influences its members toward constructive cooperation, and it encourages cooperation to secure territorial integrity, national sovereignty and economic well-being because it provides an important channel of communication and improves mutual understanding.

The forum's intrinsic logic is that of a self-intensifying process, which creates positive experiences among members over cooperation and measures adopted. These positive experiences help members to enter another stage of cooperation, which in turn produces positive experiences, which again makes room for further cooperation and so on. The longer this process continues, the better the results. It works as long as the share of implemented measures is satisfying, and the norms

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of the ARF are not violated without serious consequences for the member responsible for the breach. The effects of the ARF are surely not sufficient to fully secure peace and stability in the Asia-Pacific but it is arguable whether any form of institution could offer that. Its already existing record of success, its logic of producing a spiral of multilateral cooperation, and the continuing support of its members make the ARF relevant for regional security — and according to Khoo (1999, p. 3), "if it had not existed, it would probably have to be invented today".

NOTES

1 Theories of international relations do not differ on that; what they differ hugely on is the question how these interests are defined.
2 ASEAN's official ARF-web page, http://www.aseansec.org/arf/, accessed 2 May 2004.
3 See ASEAN website, http://www.aseansec.org/11997.htm/, accessed 10 January 2004.
4 See CSCAP's list of proposals, http://www.aseansec.org/3748.htm/, accessed 10 September 2003 and "Chairman's Statement", Tenth ARF 2003, http://www.aseansec.org/14846.htm/, accessed 12 September 2003.
5 See ASEAN website: http://www.aseansec.org/1217.htm/, accessed 11 September 2003.
6 "Chairman's Statement", First ARF 1994; http://www.aseansec.org/3825/, accessed 12 September 2003.
7 "Chairman's Statement", Second ARF 1995; http://www.aseansec.org/3617/, accessed 12 September 2003. Three-stage evolution first laid down in: ARF Concept Paper, http://www.aseansec.org/3693/, accessed 10 September 2003.
8 "ARF Concept Paper"; http://www.aseansec.org/3693/, accessed 10 September 2003.
9 "Chairman's Statement", Third ARF 1996; http://www.aseansec.org/3612.htm/, accessed 12 September 2003.
10 See report of their first meeting in 1997, http://www.aseansec.org/3600/, accessed 12 September 2003.
11 See "Chairman's Statement", Ninth ARF 2002; http://www.aseansec.org/12003/, accessed 12 September 2003.
12 "ARF: Concept and Principles of Preventive Diplomacy", http://www.aseansec.org/3571.htm/, accessed 29 April 2004.
13 This fuzzy expression was introduced because China opposed the term "conflict resolution".
14 See, for example, "Chairman's Statement", Tenth ARF 2003, op. cit.
15 Official website, http://www.aseansec.org/11992.htm/.
16 Department of Foreign Affairs (DFAT) website, http://dfat.gov.au/arf/arf_meet.html/, accessed 15 September 2003.
17 DFAT website, http://www.dfat.gov.au/arf/arfhomeMatrix.html/, accessed 17 March 2000.
18 Interview with Dr Chin Kin Wah, Senior Fellow, Institute of Southeast Asian Studies (ISEAS), Singapore (December 2003).
19 See UNRCA website, http://disarmament.un.org:8080/UN_REGISTER.NSF/, accessed 5 November 2003.

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20 ASEAN website, http://www.aseansec.org/12009.htm/, accessed 21 September 2003.
21 See "Chairman's Statement". Tenth ARF, op. cit.
22 A qualification has to be made to this statement with regard to the Five Power Defence Arrangements (FPDA), which comprise Britain, Australia, New Zealand, Singapore and Malaysia (Nabers 2001, pp. 108ff).
23 Interview with Dr K.S. Nathan, Senior Fellow, Institute of Southeast Asian Studies (ISEAS), Singapore (December 2003). Chin Kin Wah also saw a positive impact of the ARF in introducing common norms.
24 See "Chairman's Statement", Tenth ARF 2003, op. cit.
25 As there are gains of cooperation, there are costs of hostility — hostility of actor A towards others or others' hostility towards actor A. These costs are caused by the loss of positive reputation, missed gains of cooperation, increasing defence expenditures, the gathering of sensitive information and/or combat actions.
26 Interview with Dr Lee Lai To, Associate Professor in the Department of Political Science, National University of Singapore (December 2003).
27 See "Chairman's Statement", Tenth ARF 2003, op. cit.
28 Ibid.
29 In this context Western socialized members are Australia, the EU, Japan, Canada, New Zealand and the United States.
30 Interview with K.S. Nathan (December 2003).
31 Speech delivered July 3rd 2003, http://www.aseansec.org/secgen/sg_siaw.htm/, accessed 21 January 2002.
32 Protocol of the first meeting, available at http://www.aseansec.org/3600.htm/, accessed 10 September 2003.
33 Co-Chair's Paper on the terms of reference for the ARF experts/eminent persons (EEPs), http://www.aseansec.org/3573.htm/, accessed 6 November 2003.
34 See "Enhanced role of the ARF Chair", http://www.aseansec.org/3647.htm/, accessed 10 September 2003.
35 See "Chairman's Statement", Eighth ARF, http://www.aseansec.org/3585.htm/, accessed 12 September 2003.

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Contemporary Southeast Asia 27, no. 1 (2005): 146–62 ISSN 0219-797X

Book Reviews

Terrorism and Violence in Southeast Asia: Transnational Challenges to States and Regional Stability. **Edited by Paul J. Smith.** Armonk, New York & London: M.E. Sharpe 2005. Softcover: 262 pp.

This edited volume adds to the post 9/11 glut of books on terrorism without offering significant new insights on the problem as it relates to Southeast Asia. It falls also between two stools: readers interested in the details of groups like Jemaah Islamiyah or the Abu Sayyaf Group will find better, more accurate, and more up-to-date information from other sources, including from some of the same contributors to this book, and readers interested in the strategy and tactics of counter-terrorism will find the Southeast Asia material thin.

The volume is divided into three sections: the first two cover transnational and regional perspectives on terrorism in Southeast Asia, while the third examines the enabling environment that facilitates terrorist activities. The first section is the weakest, in part because of odd interpretations or factual errors that appear — errors which the authors would probably not make if they were writing their chapters today.

Chalk, for example, writes, "It is still not clear [...] whether the real masterminds behind the Bali attacks were renegade elements within the armed forces (rather than JI) seeking to institute a strategy of tension in order to bolster the military's declining grip on political power in Jakarta". He cites interviews in Sydney and Canberra as his source, but it is hard to believe, given all the evidence emerging from the trials of the Bali bombers, that the military-as-mastermind theory is credible. He also says that "Currently, there is no conclusive

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evidence to support the U.S. assertion that the ASG is actively associated either with Al-Qaeda or JI", whereas hard evidence of JI-ASG cooperation did become available after some arrests off the coast of Malaysia in late 2003. Analyses that might have been state-of-the-art at the time they were written lose much of their value after a one or two-year wait.

The same problem of outdated information bedevils other chapters. Abuza refers to Al-Qaeda as JI's "parent organization", whereas there is strong evidence to show that JI grew out of a rupture within the Indonesian Darul Islam movement and is very much an independent organization, even if some of its members had close working relationships with men like Khalid Sheikh Mohammed. Thayer, in an otherwise useful critique of some of the sensationalist assessments of Al-Qaeda's penetration of Southeast Asia, writes that Abu Bakar Ba'asyir "has no reported direct links with Al-Qaeda or bin Laden" whereas information coming out of more recent interrogations and trials suggests a stronger personal connection.

Abuza suggests that the now-defunct Laskar Jihad organization received covert assistance from Al-Qaeda (p. 55), that its disbanding was a "PR tactic" and that Laskar Jihad and Al-Qaeda share a similar worldview (p. 56). Studies published in 2004 showed that a major ideological gulf separates the leadership of the two organizations, and the disbanding was the result of serious internal rifts.

Some of the useful information in the chapter is undermined by mistakes that a good fact-checker could have picked up. The Jakarta mall bombing was in August 2001, not July 2000; the bombing of a train station in Yala was April 2001, not 2000. Laskar Jundullah was not a paramilitary arm of JI — none of its members were part of the JI organization. The ferocity of fighting in the Moluccas was not due primarily to "a shared sense [with bin Laden] that never could the radical Muslims allow an Islamic state to be broken up" (p. 54).

The objective of the book, says the editor, is "to provide the critical knowledge necessary for effective policy responses". But when the information itself is problematic, the value to policy-makers plummets. The book is best when not focusing on extremist movements per se. Anthony Smith has a balanced chapter on the political context in Indonesia, stressing that "Indonesia's Muslims do not, by and large, constitute a fertile landscape for even mild versions of Islamist governance, let alone violent theocratic movements like Jemaah Islamiya" (p. 117). Chapters by David Capie on the small arms trade and Paul Smith on border security provide good nuts-and-bolts overviews of problems that have ramifications far beyond terrorism and yet, if seriously tackled, could hamper the ability of groups like JI to

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operate. It is probably no coincidence that the most useful parts of the book are those least dependent on the constantly expanding information available about regional jihadist movements.

Many of the chapters cover the same ground: the story of the 1995 Bojinka plot in the Philippines is told in one way or another by Chalk (pp. 20–21); Abuza (pp. 42–3); Thayer (p. 87); and Rodell (pp. 32–3), with a brief reference by Gunaratna (p. 71). There are even more retellings in different places of the escape of JI operative al-Ghozi. While use of the same examples may be warranted in different contexts, the overall impact is one of unnecessary repetition and in some cases, inconsistency (different death tolls for the same incident, different derivations of the same word, and so on).

The book is also marred by idiosyncratic transliterations and misspellings. The word "daulah", the Arabic word for state, appears throughout as "darulah". JI is written as "Jemaah Islamiya", for some reason dropping the last "h", when in fact both words end in the same Arabic letter. The Indonesian cleric writes his own name as Abu Bakar Ba'asyir, not Bashir. The Thai organization appears correctly as Gerakan Mujahideen Islam Pattani in one chapter and wrongly as "Guragan" Mujahideen Islam Pattani in another.

Terrorism and Violence in Southeast Asia was intended to be more descriptive than prescriptive. But when contributors venture into analyses of government policies or policy recommendations themselves, they often stumble. The chapter by Ramakrishna makes important points about how to design a strategy to restrict the space in which terrorists can operate. But it also has a section on "Helping Moderate Islamists Win the Battle for the Soul of Islam". There is no reason to believe that the infusion of funds into "moderate" schools and organizations, while useful on its own terms, will have any impact whatsoever on the strength of violent jihadism in the region, or that the crux of the problem lies in a failure to get a moderate message across. The factors leading individuals to join organizations like JI are as much historical and political as they are religious, and unless the recruitment process is better understood, a Western embrace of one group of Muslims at the expense of another could do as much to reinforce the radical fringe as to weaken it.

This is a book that had worthwhile objectives and good contributors. The final product, unfortunately, is disappointing.

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***Making Democracy: Leadership, Class, Gender, and Political Participation in Thailand.* By James Ockey.** Honolulu, Hawaii, USA: University of Hawaii Press, 2004. Hardcover: 233 pp.

It is encouraging to note that scholarly works in English on Thai politics have come out reasonably regularly during the past four to five years. Undoubtedly, these books have been dominated by Anglophone Western academics. The only Thai academic whose works in English on Thai political economy have been well received internationally in the past few years is Professor Pasuk Pongpaichit from Chulalongkorn University. What is also interesting in the case of the new works in English by Western academics is that these are produced by the younger generation of scholars. However, it remains to be seen whether they will be able to create the same kind of impact that the older generation of Western scholars have had on Thai studies — such as David Wyatt, David Wilson, and Craig Reynolds.

The most prolific amongst the new generation in the English-speaking world is an Australian academic, Kevin Hewison (who is now a professor in Asian Studies in the United States, after five years in Hong Kong). But Hewison's Marxist-oriented works have alienated more than attracted people, although his analysis of Thailand's political economy remains one of the most penetrating and valuable. James Ockey — an American who is currently in New Zealand teaching at the University of Canterbury — also belongs to this generation, which includes, among others, Duncan McCargo (University of Leeds), Michael Connors (La Trobe University), and Andrew Brown (University of New England). These are young and energetic minds that are genuinely fascinated by the political, economic and social changes in Thailand in recent years. Every bit of empirical data seems to excite them. They are in turn exciting story-tellers themselves — sometimes to the point of losing the subtle meaning of phenomena. These young guns are very committed to their research on Thailand. They travel to Thailand often to do their field research. They can comment very competently on the current politics of Thailand. They show genuine understanding of Thai politics and society, although their views cannot escape from European ethnocentrism.

As Ockey himself acknowledges — virtually all of the chapters in his *Making Democracy: Leadership, Class, Gender, and Political Participation in Thailand* have been published elsewhere — this is more of an anthology than a new book. Nevertheless, it is still worth reading. Key themes — and scholarly significant ones — do emerge. The specially written concluding chapter, in particular, provides a strong critique of Modernization Theory, which has been dominant in

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explaining democratization in the Third World. It posits that authoritarianism enables economic development, which in turn leads to social mobilization and eventually to political liberalization. In Ockey's view, the emergence of democracy in Thailand — and one can surmise in many other developing countries as well — does not conform to Modernization Theory. In fact, he argues that democratically-oriented political participation in Thailand has always been strong at the local level, thus providing a strong basis for democratization.

Ockey supports this assertion with rich empirical evidence — his research of ten years. He spent a lot of time constructing an argument for a kind of "politics from below" and presents very interesting data thus far ignored by English-speaking researchers on Thai politics. In fact, Ockey's approach here is consistent with his other works about political resistance at the local level, that is in his forthcoming work on "Kru Cham Chamrasnet", a well-respected Member of Parliament from Nakhon Si Thammarat in the 1950s. Furthermore, Ockey points to specific characteristics of Thai democracy, which is based on a mixture of Thai traditions (leadership, class and gender) and foreign political institutions and practices. This is the book's important contribution to a better understanding of Thai democracy, which is currently largely based on Modernization Theory. He pieces together convincing evidence, including the role of *nakleng* and *chaopho*. So here, Ockey is laying his hands on something theoretically significant, a kind of democracy shaped by local cultural practices, social institutions, historical development, and imported foreign institutions and ideas.

Ockey devotes a lot of space to a discussion on the political role of women, who have always been silenced in scholarly works. Ockey should be commended for this. He focuses on key female political figures — Chodchoy Sophonpanich, Supatra Masadit, Prateep Ungsongtham, and Arunee Sito, for example. It is important that these key figures are recognized for their role in shaping the future of Thai politics.

Ockey is an example of an inductive researcher who largely uses empirical data to allow key themes to emerge, rather than imposing a pre-selected theoretical framework on data. Ockey in this sense is quite typical of area specialists, who incidentally have contributed in a big way to new theories and insights about politics in Third World countries. His account of the changes in Thai political parties today sheds new light on the current dynamics of party politics in Thailand, including factional loyalty and coalition building.

Ockey's discussion of the middle class is also noteworthy. He is quite successful in demystifying the notion that the Thai middle class is the maker of Thai democracy. Ockey points out that the Thai middle

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class is not quite the same as its Western counterpart: the Thai middle class is unique in the sense that it is driven more by consumerism than democratic ideology, at least since the 1990s. Thus, one should view the role of the middle class in Thai democratization with greater scepticism. Are they then simply opportunistic? This issue is worth pondering given the current role of the middle class in the ruling Thai Rak Thai party, which appears to be diverting Thailand toward authoritarianism. Indeed, this writer could not agree more with Ockey on this. In fact, his line of argument is consistent with other cases in the developing world.

James Ockey, in all of his writings on Thai politics, shows a strong commitment to looking at Thai politics in a different way. He has consistently paid attention to what can be called "politics from below" — provincial influential people or *chaopho, nakleng*, or the politically marginalized slum-dwellers and women. These "data" have been neglected by most academics in the West. So, ontologically speaking, Ockey is quite unique — and his work a praiseworthy contribution.

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***West Papua and Indonesia Since Suharto: Independence, Autonomy or Chaos?* By Peter King.** Sydney, Australia: University of New South Wales Press, 2004. 231 pp.

Following East Timor's secession from Indonesia in 1999, there has been a shift among activists and writers, especially in Australia, to focus on the future of Papua, often referred to as West Papua or the former Irian Jaya. The rallying cry has been to repeat what was achieved in East Timor, namely, to use international pressure and intervention to split the territory of Papua from Indonesian control. Some of the more recent writings on Papua include John Salford, *United Nations and the Indonesian Takeover of West Papua, 1962–1969: The Anatomy of a Betrayal* (2002); Richard Chauvel, *The Land of Papua and the Indonesian State: Essays on West Papua* (2003), and Elizabeth Brundige, *Indonesian Human Rights Abuses In West Papua: Application of the Law of Genocide to the History of Indonesian Control* (2004). It is in this context that Peter King's book takes on a particular importance as it goes the furthest in proposing international military, diplomatic, economic and political intervention, especially from Australia, the United Kingdom, the United

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States and eventually the United Nations, to resolve the plight of the Papuans, namely to free them from "Indonesian occupation".

King's book is divided into seven main chapters with a prologue providing a background to the state of politics in Papua following the fall of Soeharto. In essence, much has been written on the subject and chapters one (resistance movements), three (options), four and five (military politics and business), and six and seven (Australia and the international community) do not provide any fresh perspectives as similar themes have been covered in other books (by Robin Osborne, John Salford, and others). However, what is useful in this book is chapter two, which updates the various writings thus far through the analysis of the 2000 Papua Congress and what it has meant for Papuan politics. King is no doubt right to argue that the central government, especially President Abdurrahman Wahid's endorsement of the Congress and its follow-up, marked a defining moment in Papuan politics. Today, one can argue rather convincingly that Jakarta has to deal with three centres of power in Papua, namely, the elected provincial government(s), the various factions of the armed resistance movements (Free Papua Movement, OPM) and the Papua Presidium Council (PDP). While the elected provincial government tends to toe Jakarta's line, the main opposition has emanated from the PDP and the OPM.

King's criticisms of Indonesia's Papua policy cannot be dismissed even though they are not novel. Any analysis of Indonesia-Papuan relations has centred on a number of key issues. First, the issue of racial discrimination. Papuans, who are mostly Catholics or Protestants, feel that they have very little freedom to manage their own communities as the key and lucrative positions in government bodies and private companies are dominated by non-Papuans. They perceive themselves as being "colonized" by other Indonesians, many of whom also happened to be non-Christians. Second, the aggressive exploitation of natural resources (copper, gold, timber) irrespective of local interests and traditions has been a major source of grievance. This is best symbolized by Freeport Indonesia that dominates the Papuan economy. Not only are the interests, traditions and landownership rights of the Papuans ignored, what is worse, very little benefits have accrued to them, with Papua described as a "treasure house" but in which the locals are trapped in the "cycle of poverty".

Third, the growing demographic imbalance between "transmigrants" and the locals, with the former being given all the privileges and access, very often at the expense of the latter. The Papuans fear becoming minorities in their own land, especially to the more aggressive and capable ethnic groups from other parts of Indonesia

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such as the Bugis and Balinese. Fourth, the growing unhappiness in the manner Papua became part of Indonesia with the Act of Free Choice being described as nothing more than the "Act of No Choice", thereby challenging the legal basis of Papua's integration or restoration into Indonesia. Fifth and finally, the gross violations of human rights by the security apparatus, especially the military, when conducting operations against the OPM and other groups opposing Indonesia's political and economic presence in the province.

However, where King's book tries to break new ground is also where he is most controversial and probably, vulnerable. King views Papua as the "next East Timor". There is no doubt that there are socially constructed similarities in the mind of political activists that would like to sever Papua from Indonesia, namely, the issue of constitutional illegality, political injustice, economic exploitation, environmental degradation, social-cultural unfairness, military repression and gross violations of human rights. Yet, supporting separatism could be interpreted by Jakarta as not merely interfering in another country's affairs, albeit an important neighbour in this case, but could also be a dangerous prescription for solving Papua's problems. Dismembering Indonesia is unlikely to benefit the Papuans, Indonesia, Southeast Asia or for that matter, Australia. Moreover, the Papuans are highly fractious and inter-tribal conflicts are likely to break out, leading to a possible bloodbath in the country. Also unlike East Timor, Papua is strategically and economically vital to the great powers with the United States and China heavily involved in the territory's economy, especially in the extraction of various strategic resources. Thus, an independent Papua or the East Timor option is definitely not viable for the time being.

The only alternative that exists is dialogue and this is something that has borne fruit for the Papuans. Since the fall of Soeharto, dialogue has been the main bargaining mechanism between Jakarta and the Papuan opposition even though many abuses have continued. At the same time, the Papuan opposition, especially the OPM, is also to be blamed for many of the attacks on the security apparatus and civilians. Looking at the historical trajectory, the progress made by the Papuans in the last four to five years has been indeed phenomenal. Not only was the Papua Congress held in 2000 and the various follow-up meetings held ever since, but there have also been various structures and institutions put in place to express and channel the aspirations of the Papuans. The Papua Presidium Council and the Papua Task Force are two such examples. In December 2004, newly elected President Susilo Bambang Yudhoyono, through presidential regulations, sanctioned the

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establishment of the long-awaited Papua People's Assembly, a cultural body to express the aspirations and wishes of all Papuans.

While dividing the province into three has been controversial, it must also be admitted that it is a logistical nightmare to administer the far-flung territory. For administrative efficiency and representation, smaller units are definitely needed. The Dutch had seven and even the three proposed by the Indonesian government might need further modifications. As such, unlike East Timor, where Jakarta was in denial about .the existence of a "problem", since the fall of Soeharto the political leadership in Indonesia has been trying to find ways and means to solve the Papuan problem. While various concessions, including the granting of wide-ranging special autonomy, have been acceded to, many issues remain unresolved. As long as Papuans are prepared to remain as part of Indonesia, it is likely that Jakarta would be prepared to accommodate, as far as possible, including the possibility of troop withdrawals and key political positions being given to locals.

However, any attempt at secession is likely to meet stiff resistance from Jakarta's political and military leadership. Here, King's diagnosis of the way forward is rather unrealistic as Papua is not East Timor, and as long as the political will exists in Jakarta to ensure there are "no more East Timors", Indonesia is unlikely to give up Papua without a fight regardless of pressure from outside.

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China: Is Rapid Growth Sustainable? **Edited by Ross Garnaut and Ligang Song.** Canberra: Asia Pacific Press, 2004. Softcover: 249pp.

By 2004 China had become the sixth largest economy and the fourth largest trading nation in the world. Its trade volume is about to reach a trillion U.S. dollars. To achieve this status China has undergone concerted reform since the late 1970s. This has led to considerable interest among professionals and policy-makers across the globe. While some view China's rise and integration in the global economic system in terms of offering potential opportunities for trade, others view the phenomenon as a collapsing system that jeopardizes the security and stability of the region. The book under review broadly fits into the first category.

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This excellent collection of papers, written by 19 scholars from Australia and China, examines in detail the complex economic dynamics at play in the recent period. While there is no introduction to this work, the chapters weave around the theme of whether the current economic growth is sustainable.

Most of the contributors to the volume suggest that China is poised to retain its economic development in future with a few caveats based on objective economic as well as subjective factors. They suggest that China, in order to sustain its economic growth rates, needs to further reform its market economy, overcome burgeoning income inequalities, eliminate or reduce urban poverty, accelerate financial reforms, ensure transparency and effective enforcement of the rule of law, and take steps for "public monitoring of government operations" (p. 134).

In the long term, economic growth in China may falter owing to factors beyond its control. The limits to sustainable growth may include a general ageing of the population, and loss of the relevance of the same "miraculous" factors such as inexpensive labour, raw materials, tax incentives, and assured energy supply to other "rising" economies such as India and the like. The rapid growth of the "new economy" — information technologies — in India, for instance, is one such recent development. Some of these were highlighted in the Goldman Sachs report of 2003 based on capital accumulation and productivity trends in Brazil, Russia, India, and China till 2050 and in the United States National Intelligence Council's report on "Mapping the Global Future" released in 2004.

The volume is evenly and appropriately distributed, if repetitive, to reflect current concerns about the Chinese economy: nearly three chapters are devoted to growth related issues, three discuss privatization and markets. There are two chapters about trade prospects from membership of the World Trade Organization (WTO), and one each on industry, agriculture, currency reform, regional policy, and poverty.

Predominantly, these studies are based on the last two decades of reform efforts, reflecting the current Chinese leadership's view that all positive developments in the economy should be traced to post-1978 reforms. Jane Golley's chapter, in which a comparison of the internal development strategies from 1950s onwards is made, is an exception though Golley too subscribes to the overall thrust of the book that the pre-1978 economic policies have led to innumerable problems for China. Such economic discourse has been a dominant theme of the recent scholarship not only in China but also in other parts of the globe, reflecting the "free trade" lobby in academia and policy circles.

While most of the contributors to the volume concur on the beneficial effects of the ongoing reform process in China, two chapters

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reflect on the negative side of the story. Cai Fang and Du Yang, for instance, raise, though do not address concretely, the issue of "economic and political costs and benefits" and unemployment (p. 152) generated by the reforms. Additionally, within the context of a general increase in incomes in urban areas, Xin Meng, Robert Gregory and Youjuan Wang ponder on the issue of reforms "dam[ming] the trickle down of income growth to low income groups" (p. 197).

Although the arguments of the contributors to this volume are familiar, they make substantial contributions to the methodological issues involved in the literature on China's economic reforms with intensive study of available statistical data. The main arguments are as follows. Unlike the "shock therapy" experience of reforms in Russia and Eastern European countries, China's reforms have been gradual and relatively effective, though as Yanrui Wu mentions, it had to go through "boom–bust" cycles in the 1980s (p. 182). The replacement of central planning, self-sufficiency, subsidies, state investments in public projects and the like with implementing contract law, breaking up the "iron rice bowl", privatization, side-line production, township and village enterprises, incentives for foreign direct investments, financial reform and impetus to external trade — have all led to the current spectacular economic growth in China. Several contributors to this volume, however, alert us to China's tendency to take recourse to non-economic and political measures "to use the bargaining weight offered by its size as a market to secure favourable bilateral arrangements, including on matters away from the centre of conventional trade policy" (Garnaut, p. 20).

Ross Garnaut has argued that the Chinese leadership did not have a "blueprint" of economic reforms in 1978 and that they "stumbled" upon policies in an incremental manner. However, Chinese economic works prior to 1978 and after reflect the internal debates within the Chinese Communist Party (CCP) on the "two lines" of struggle — one advocating a Maoist "self-sufficiency" model, and the other for giving full reign to economic reforms, albeit under overall CCP control. For instance, as Chinese leader Wan Li mentions in his *Selected Works*, China experimented with agricultural policies of remuneration linked to agricultural output in Anhui Province in the 1950s, though it had to be abandoned with the onset of the Peoples' Communes. Liu Shaoqi, Deng Xiaoping and others wrote articles in economics journals in the pre-reform period, reflecting similar policies in industrial and trade sectors.

One is also not sure of the economic and social growth prospects if all "economic barriers to imports from other countries" (p. 11) are lifted. Interrelated to two other chapters on the WTO, these arguments

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raise several concerns for less-developed economies. For instance, according to a report by the International Food Policy Research Institute in September 2004, farmers are losing billions of dollars every year due to trade-distorting subsidies, which enrich the United States and European Union farmers and traders. Such trade is termed discriminatory because the United States and EU spend nearly US$300 billion subsidizing their farmers (whereas other less developed countries spend subsidies of less than US$1 billion on farmers), while pressurizing the developing countries to cut down these meager subsidies and open up the agricultural sector for cheaper imports. Nevertheless, while both the United States and EU announced in August 2004 a series of corrective measures to cut these subsidies, they appear to be ineffective as no deadlines were set for their implementation.

While the volume is an invaluable source for a serious study of the current economic reforms in China, a more objective assessment is needed.

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Strategic Asia 2004–05: Confronting Terrorism in the Pursuit of Power. **Edited by Ashley J. Tellis and Michael Wills.** Washington, Seattle, USA: National Bureau of Asian Research, 2004. Softcover: 520pp.

This edited volume seeks to examine "how the war on terrorism has affected the strategic prospects of key powers and regions in Asia, and to assess how successfully the United States has managed to achieve its own particular strategic goals toward specific countries and sub-regions" (p. x). Two overriding U.S. strategic goals stand out in the volume: to win the war on terror and maintain, if not enhance, U.S. global dominance.

Besides the editors, thirteen top American specialists in Asian affairs and international relations have contributed chapters to this impressive book. Although all writers appear to embrace the necessity of waging a war on terror and accept that U.S. hegemony is desirable to American national interests, and the balance of power and stability in Asia, their analyses are generally very thoughtful and candid. Most chapters do not merely provide a year-in-review but also

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comprehensive background analyses and a bold projection of trends at least five years hence. This review will highlight the overarching themes and selected writings rather than summarize every single chapter in this book.

The book is organized into three sections: the first focuses on key strategic countries namely the United States, China, Japan, Korea and Russia; the second on regions including Central Asia, South Asia, Southeast Asia and the Middle East; and the third on issues such as Asia's energy insecurity, weapons of mass destruction diffusion in Asia, scenarios in the Korean peninsula, and science and technology in Asia. The final chapter provides very useful indicators and statistics on Asia's economies, globalization and trade, investment, population, energy, defence expenditure, military forces and nuclear weapons.

In the editor's introduction, Ashley J. Tellis observes that although Washington has recorded notable successes in Asia against Al-Qaeda and its global affiliates, "U.S. strategy so far has been unable to reduce the global ranks of disaffected Muslim sympathizers. The United States needs to wage a war on terrorism that not only destroys Al-Qaeda and stabilizes Afghanistan and Iraq, but also addresses the roots of sprawling anti-American sentiment in the Middle East" (p. 3). Tellis warns:

> what Osama bin Laden appears to have done successfully is to make an appealing argument that Washington's support of unjust, despotic, and corrupt Muslim states, its war against Muslim countries like Afghanistan and Iraq, and its favouritism toward Israel, actually represents evidence that the United States is at war with Islam itself and, consequently leaves the weaker Muslim community with no alternative to armed resistance. As long as millions of Muslims believe this claim, many passive sympathizers will elect for active terrorism, and the war on terrorism will not be won (p. 15).

These are sobering words but Tellis does not really tell us how the Bush administration can win the hearts and minds of alienated Muslims. However, Tellis suggests that "no attempt at defusing Muslim resentment against the United States is likely to be effective without better approaches to the Israeli-Palestinian problem (p. 22). And this problem is, of course, intractable.

Next, Robert G. Sutter notes that Southeast Asia initially was a low priority area for the Bush administration but after September 11

> U.S. policymakers also began to pay greater attention to fighting terrorism in Southeast Asia, notably in the Philippines. There also was closer U.S. cooperation with Singapore and Malaysia, and tentative steps to improve security cooperation against terrorism with Indonesia (p. 44).

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Despite the difficulties the United States is facing in Iraq, and the war on terror, Sutter believes that America has improved its relations with all the leading powers in Asia; even China recognizes the reality that the United States will remain Asia's dominant power.

Sutter is probably right to assume that the United States will remain the top dog not only in Asia but the world for some time to come. But what about the prestige and influence of the American superpower in Asia if Iraq turns out to be a decade-long quagmire and Iran eventually becomes another bog leading to the haemorrhaging of the U.S. military and American treasury, differences and tensions among U.S. allies increase, and there is polarization within American domestic politics and public opinion?

Dominant powers are usually wary of rising powers which may emerge as challengers. Michael D. Swaine argues that, against the backdrop of the war on terror, the United States and China have improved their relations even though the latter is emerging as a great power in Asia. In this regard, China has shrewdly been "exploiting a strategic opening" (p. 67) to augment its "peaceful rise". Not addressed by Swaine is the question: will the U.S. regard China as its main competitor and a country to be contained once the war on terror has wound down?

Mike M. Mochizuki points out that Prime Minister Junichiro Koizumi's staunch support for the U.S. war on terror has gained Japan "greater maneuverability to pursue a more autonomous foreign policy and beyond" (p. 103). This is evidenced by the Bush administration's tolerance towards Koizumi's dramatic trip to Pyongyang and Japanese moves to develop the Azadegan oil field in Iran. Indeed, the U.S. war on terror has also given Japan the opportunity to increasingly become a "normal" state whereby the country sheds its post-Second World War pacifism and can engage in collective security. Mochizuki also insightfully notes Tokyo's multi-pronged strategy in Asia: "While softly balancing against China through a reinvigorated Japan-U.S. alliance, Japan also seized the commercial opportunities presented by China's economic ascendancy, worked to prevent a downward spiral in Japan-China relations, and promoted East Asian economic integration" (p. 105). However, Mochizuki does not raise the possibility of the United States failing in Iraq and, not inconceivably, subsequently in Iran — and the impact such a scenario would have on Japan's strategic options. Should we assume that, given the presence of an opaque and self-declared North Korean nuclear power and a rising China, the Japanese will have no choice but to stick it out with the United States? After all, Japan remained a U.S. ally despite the latter's defeat in the Vietnam War.

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Victor D. Cha observes that "despite pronounced domestic ambivalence, the ROK (South Korea) has been a supporter of the war on terrorism" (p. 139). Cha also writes: "the catalyzing event for the much-noted "anti-American" candlelight vigils of late 2002 and early 2003 in Korea related not to the war on terrorism but to the acquittal of U.S soldiers in the death of two Korean schoolgirls during military exercises" (p. 149). He also notes that the "final variable that could dramatically drive developments is unpredicted North Korean behaviour" (p. 157). Cha is absolutely right about this but what about the perception in Pyongyang that Washington is hostile and intent on regime change? After all, the United States invaded Iraq on the pretext of destroying weapons of mass destruction. Does the United States not consider the option of a pre-emptive strike against suspected North Korean nuclear facilities? One can also paraphrase Cha and say that perhaps the final variable that could dramatically drive developments is unpredicted *American* behaviour.

In the following chapter, Stephen E. Hanson argues that September 11 had a "dramatic and unexpectedly positive effect on U.S.-Russian relations" especially after the United States publicly pledged to reconsider its criticisms of Russia's war against Chechen Muslim separatists (p. 164). However, Hanson also warns: "it must be made clear to Putin and his generals that unchecked brutality in Chechnya does not further the war on terrorism; rather, it simply produces a new generation of terrorists" (p. 191). Hanson also notes that China has emerged as one of Russia's top two markets for arms exports. It would also have been interesting if Hanson had addressed the question: what are the implications for Russo-U.S. relations if Moscow continues to sell sophisticated weapons to a rising China that is prepared to use them against a Taiwan seeking independence?

On Central Asia in the face of insurgent Islam, Gregory Gleason opines:

> To defeat terrorism, the United States must succeed in its military operations. But victory on the battlefield is not enough. The political doctrines that bolster terrorists must be overcome if the war on terrorism is to succeed. As moderate Muslim societies, these Central Asian countries offer the Muslim world a moderate alternative to Muslim extremism (p. 201).

While Central Asian countries may share common interests with America, they "do not always share common interpretations of how to pursue these interests" (p. 215). An example is Uzbekistan which has been guilty of human rights violations and the use of terrorism as a "pretext for political repression" (p. 216).

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In the next chapter on South Asia and the war on terrorism, Walter K. Andersen writes:

> Differing interpretations of what constitutes terrorism, however, impede cooperation among them and constitute a threat to regional stability. While Pakistan has cracked down on Al-Qaeda activists in its territory, President Musharraf's government does not regard Kashmiri militants or the anti-Karzai Taliban rebels as genuine terrorists. The United States, dependent on Musharraf to fight Al-Qaeda and confident it can resolve Indo-Pakistani tensions, has yet to put real pressure on the Pakistani president to stamp out Islamic radical groups that engage in violence within India or against the Taliban fighting in Afghanistan (p. 235).

Following that is Sheldon W. Simon's chapter on Southeast Asia. According to him,

> The core of the controversy is whether Southeast Asian jihadists operate at the behest of Al-Qaeda or whether they have separate agendas compatible with Osama bin Laden's organization but independent of it. The bulk of the evidence suggests the latter ... The September 11 terrorist attack thrust the United States into this witch's brew of Southeast Asian Islamic terrorism (p. 264).

Simon also perceptively identifies the problem of certain Islamic schools especially *madrasahs* and *pondoks* which churn out cohorts of radical students hostile to the West. He notes that the U.S Agency for International Development (USAID) will support basic education to "prepare Indonesia's children to be effective participants in their own democratic society while reducing extremism and intolerance, supporting democracy and respect for diversity" (p. 289). Simon also mentions that President Bush pledged US$157 million in education aid to Indonesia over six years when he visited Bali in October 2003. In this reviewer's opinion, this amount is just a fraction compared to the billions spent on the U.S.-led war in Afghanistan and Iraq. While U.S. rhetoric sounds good, it remains to be seen whether this paltry amount would enable Washington to win the hearts and minds of Muslim students in Southeast Asia.

Graham E. Fuller next writes about "confronting resentment in the Arc of Crisis" in the Middle East. He correctly observes:

> the U.S. military campaigns linked with the war on terrorism, especially in Iraq, have crystallized unprecedented levels of anger at the U.S. presence in and its policies across the Middle East, caused it to be identified with Israeli strategies, and rendered regional publics (as opposed to regimes) practically sympathetic to anti-American violence (p. 301).

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Fuller ominously warns: "Just when will regimes be seriously threatened or actually overturned by angry publics? Many analysts, including this author, feel that the longer-term process of reckoning is just beginning" (p. 305).

Due to space constraints, the reviewer cannot comment on the fine chapters on Asia's "Energy Insecurity" (Mikkal E. Herberg), "WMD Diffusion in Asia" (Gaurav Kampani), "Alternative Futures for the Korean Peninsula" (Nicholas Eberstadt) and "Science and Technology" (Richard P. Suttmeier). Rare in edited volumes, all the papers are of a consistently high quality.

In conclusion, this is an annual review which is second to none: virtually all the chapters are critical and excellent and address past, present, and future trends which go beyond the year-in-review. This volume is highly recommended to policy-makers, scholars and journalists. If they have the patience to read a challenging book with more than half a thousand pages, there is much to learn from it.

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Contemporary Southeast Asia 27, no. 2 (2005): 165–87 ISSN 0219-797X

A Nuclear Weapon-Free Southeast Asia and its Continuing Strategic Significance

M C ABAD, JR

2005 marks the tenth year since the ten countries of Southeast Asia declared the region a nuclear weapon-free zone. Under the new and fast evolving strategic environment, is the original purpose of establishing the zone still valid? This article will suggest that SEANWFZ remains strategically relevant because it conveys a message of peace, contributes to the global campaign against the proliferation of nuclear weapons, adds pressure to the Nuclear Weapon States to pursue nuclear disarmament, and contributes to building the confidence of Southeast Asian countries in managing their common security and exercising a good measure of control over their destiny. SEANWFZ is also relevant to counter-terrorism efforts by ensuring that WMD material, and technology from which nuclear weapons could be developed, do not fall into the hands of terrorists or be transmitted through the Zone.

Introduction

It has been a decade since the ten countries of Southeast Asia declared the region a nuclear weapon-free zone and almost three and a half decades since the adoption of its broader policy framework, the declaration of a zone of peace, freedom and neutrality. Many strategic developments have taken place since these two junctures. Southeast Asia has been transformed from an area of conflict into a dynamic economic region. A new pattern of relations among the major powers has emerged. At the same time, new sources of threats have surfaced. It

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is, perhaps, time to revisit this policy direction and ascertain its strategic relevance. In the new and fast evolving strategic environment, is the original purpose of establishing the zone still valid? What is now the strategic value of the zone?

Southeast Asia is a nuclear weapon-free zone encompassing the territories and exclusive economic zones of ten countries, namely Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand, and Vietnam, herein referred to as the States Parties. The Treaty on the Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ) was signed on 15 December 1995 and entered into force on 24 March 1997.[1] To date, SEANWFZ, also known as the Bangkok Treaty of 1995, is one of the seven treaty-based nuclear free zones in the world, namely the Outer Space Treaty of 1967; the Seabed Treaty of 1971; the Antarctic Treaty of 1959; Africa's Pelindaba Treaty of 1996; South America's Tlatelolco Treaty of 1967; and South Pacific's Rarotonga Treaty of 1985. The last four geographic zones almost cover the globe's southern hemisphere minus the South Asian region. These zones are alternative regimes to the nuclear deterrence posture of the five permanent members of the United Nations Security Council, which are all Nuclear Weapon States (NWS), namely China, France, the Russian Federation, United Kingdom and the United States.

When a nuclear-free Southeast Asia was conceived in the mid-1970s, it was primarily meant to add to geographic areas where the activities of the NWS were to be constrained. The Treaty provides for a Protocol of accession by declared NWS to respect the Treaty and not to contribute any act that would constitute a violation of the Treaty and its Protocol. The aim was for the States Parties to abstain from developing and acquiring nuclear weapons and for the NWS to spare the region from the risks of nuclear accidents or nuclear war among them.

While nuclear deterrence has worked so far among the declared NWS, a wider, faceless and unpredictable source of threat has emerged. The intensity of and groundwork for the terrorist attack on the United States on 11 September 2001 altered the nuclear equation considerably (Ramberg 2003, p. 8). United States Secretary of State Condoleezza Rice, writing then as National Security Adviser, described the possible nexus between outlaw regimes, weapons of mass destruction (WMD) and terrorism, as "the gravest threat of our time" (Rice 2003, p. A11). The ushering in of an "Age of Terror" is said to have left the international system in greater flux than at any time since immediately after World War II (Sheridan 2003, p. A11). This is one clear and present danger where SEANWFZ has continued relevance, beyond the area denial sense for NWS, in contributing to the non-proliferation of nuclear

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weapons or fissile material from which nuclear weapons could be developed. SEANWFZ's strategic value is bolstered by its challenging of the legitimacy of nuclear weapons, in particular, and its contribution to a greater sense of security in the region in general.

The Making of SEANWFZ

The Association of Southeast Asian Nations (ASEAN) was born at the height of the Cold War. A few months after its establishment, the Vietnam War reached its peak when, in the early hours of 31 January 1968, the Soviet-backed Vietcong launched the Tet Offensive and entered Saigon through Cambodia. In Europe, the former Union of Soviet Socialist Republics, asserting its right to intervene in any communist state to thwart what it considered as counter-revolutionary tendencies, led neighbouring Warsaw Pact armies in a military invasion of Czechoslovakia on 20 August 1968. China opposed this so-called Brezhnev Doctrine and accused the USSR of "social imperialism". On 16 January 1968, Prime Minister Harold Wilson announced the withdrawal of British forces from the Far East and the Middle East, leaving its former colonies on their own. This ensued six months after the violent Six-Day War between Israel and its Arab neighbours, Egypt, Jordan and Syria, which laid the foundation for future discord in the Middle East over the occupied territories. Meanwhile, Indonesia was in a drawn-out political transition with General Suharto eventually replacing President Sukarno on 27 March 1968 immediately following the country's "Confrontation" with Malaysia that involved Commonwealth forces. Interestingly, it was during this period when the Irish-sponsored Treaty on the Non-Proliferation of Nuclear Weapons (NPT) was being debated at the United Nations and eventually opened for signature on 1 July 1968.

The concept of keeping Southeast Asia free from nuclear weapons originated from the idea of Southeast Asia as a neutral region. It was former Malaysian Foreign Minister Tun Ismail Abdul Rahman who originally called for the neutralization of Southeast Asia to be guaranteed by the major powers before the Malaysian parliament on 23 January 1968 in response to the British withdrawal and apprehensions about a "vacuum". Then in 1970, Tun Ismail raised this proposal at the UN General Assembly, arguing that it was "the only alternative" to the prospect of sustained and continuous conflict in Southeast Asia, particularly in Indochina. The proposal received a mixed reception even within Southeast Asia (Sopiee 1975, p. 137).

On 27 November 1971, ASEAN states issued the Declaration on the Zone of Peace, Freedom and Neutrality (ZOPFAN) in Kuala Lumpur.

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The Declaration states that ZOPFAN aims to contribute in "bringing about relaxation of international tension and of achieving a lasting peace in Southeast Asia" and for every state "to lead its national existence free from outside interference in its internal affairs".[2] ZOPFAN is a politically negotiated text that tried to accommodate the differences in allies and threat perceptions among the members of ASEAN.[3] The formulation of ZOPFAN was, in substance, an extension of ASEAN's founding document, the ASEAN Declaration of 1967, which attempted to declare the region free from foreign military bases, but finally settled for a provision stating that "all foreign bases are temporary and remain only with the expressed concurrence of the countries concerned and are not intended to be used directly or indirectly to subvert the national independence and freedom of states in the area".[4]

Nevertheless, the ZOPFAN Declaration mandated ASEAN to exert efforts to secure the recognition of, and respect for, Southeast Asia as a zone of peace, freedom and neutrality. It was reported that the concept of neutralization under major power guarantees did not find favour with some countries in Southeast Asia. Thus, "neutrality" with its more positive connotation of self-imposition and capacity was substituted in its stead and the idea of "guarantees" by external powers was replaced by the notions of their "respect for" and "recognition of" such neutrality, thus conveying a sovereign choice of national and regional security policy (Haron 1991, p. 4). Furthermore, the ZOPFAN Declaration took cognizance of the trend towards establishing nuclear-free zones, as in the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Lusaka Declaration proclaiming Africa a nuclear-free zone.

On 5 January 1975, the ASEAN Senior Officials (ASEAN-SOM) established the Working Group on ZOPFAN to define and elaborate what would constitute a violation of the Zone, to propose steps to deter violation of the Zone and measures to be taken in the event of such violation. The Working Group held its first meeting in Bangkok on 17–19 April 1975. In its Report, the Working Group recommended the 14-point Guidelines Constituting a Code of Conduct Governing Relations among States within the Zone and with States Outside the Zone and 10-point Expectations from Countries Outside the Zone in Recognition and Respect for ZOPFAN. The Report of the Working Group in the form of a "Conceptual Framework of the ZOPFAN" was adopted by the First ASEAN Summit, held in Bali in 1976. In May 1977, the ASEAN-SOM decided to focus on the denuclearization aspect of the Conceptual Framework. Another major proposal, a non-aggression pact, to be guaranteed by the major powers, received no consensus within ASEAN.

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However, soon after the Second ASEAN Summit, held in Kuala Lumpur in 1977, ASEAN became preoccupied with the Indochina conflict following Vietnam's invasion of Cambodia in 1978. ASEAN members found themselves debating whether or not SEANWFZ should be limited to its current members or to open it to the whole of Southeast Asia like the ASEAN's founding document, which opened the organization to participation by all countries in Southeast Asia. The primary advocates of SEANWFZ were in favour of an expansive coverage based on the argument that SEANWFZ was a component of ZOPFAN and "the only alternative" to proxy wars in Southeast Asia. On the other hand, some members did not want to extend any form of legitimacy to Vietnam by engaging it in the regional processes (Alagappa 1987, p. 2).

In 1982 the ASEAN Foreign Ministers established the ASEAN Task Force "to undertake a comprehensive review and appraisal of ASEAN cooperation". Included in the recommendations of the Task Force was the revival of the proposed denuclearization of Southeast Asia. In particular, the report recommended (a) intensifying collective actions on ZOPFAN among member countries; (b) widening consultations with other countries especially those in the region; and (c) establishing a Nuclear Weapon-Free Zone in Southeast Asia.

In 1983, the Working Group on ZOPFAN was reactivated "to identify and elaborate the elements of ZOPFAN and should point out which of the elements could be further pursued, irrespective of the developments on the Kampuchean question". Indonesia then tabled a working paper entitled "Basic principles for arrangements on the establishment of a Nuclear Weapon-Free Zone in Southeast Asia".[5]

The Drafting Committee on SEANWFZ produced the first and second drafts of the SEANWFZ Treaty in April and May 1987, respectively. The Third ASEAN Summit in Manila in December 1987 directed the officials to hold consultations with the Nuclear Weapon States with a view to concluding the draft.[6] While demonstrating collective support for SEANWFZ, the Manila Summit reiterated ASEAN's pronouncement ten years earlier that each member state shall be responsible for its own security and that cooperation on security matters shall continue on a "non-ASEAN basis" in accordance with their mutual needs and interests.[7] Notwithstanding the Summit mandate, the second draft remained as it was for the next five years. No consultations with the NWS took place. It was about this time when the global nuclear stockpiles peaked at about 70,000 nuclear weapons.

By the time the Fourth ASEAN Summit was held in January 1992, the international security situation was fast changing, with the disintegration of the former Soviet Union following the resignation of

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Mikhail Gorbachev on 25 December 1991. What ensued was the historic end of the Cold War. Although it was too early to fully grasp the implications of the dramatic transformation in major power relations for regional security, ASEAN leaders saw the need for "consultation with friendly countries, taking into account changing circumstances".

On 23 October 1991, the Paris Conference on Cambodia signed the Comprehensive Political Settlement of the Cambodian Conflict, which paved the way for the return of political normalization in Cambodia and the reconstitution of a duly elected government. Under the Paris Accord, Vietnam, Thailand and Laos, whose territories were adjacent to Cambodia, undertook to prevent their territories from being used for the purpose of providing any form of military assistance to any of the Cambodian parties. This Accord sealed Vietnam's withdrawal from Cambodia that began in 1989.

In June 1992, the Working Group on ZOPFAN and the Drafting Committee on SEANWFZ were merged and became known as the Working Group on ZOPFAN and SEANWFZ. Foreign Ministers Ali Alatas of Indonesia and Abdullah Badawi of Malaysia called on ASEAN to take advantage of the renewed interest in nuclear non-proliferation "as one of the real dividends of the ending of the Cold War".[8] Mandated to examine the Second Draft of the Treaty, the reconstituted Working Group held uninterrupted negotiations for the next three years.[9] Face-to-face consultations with the NWS were held for the first time from 16 to 18 of November 1995 at the Horizon Hotel in Jakarta. It was clear then, based on their comments, that it would take time and substantive concessions before the NWS could sign the Protocol to the SEANWFZ Treaty. By then, ASEAN had already decided to adopt the Treaty and its Protocol as drafted. It was under the chairmanship of Indonesia when the draft was finalized just about two weeks prior to its signing at the Fifth ASEAN Summit on 15 December 1995.

The ASEAN Summit of 1995 was a historic turning point because it was the first time that all the ten leaders of the Southeast Asian countries gathered together on the same platform for the signing of the SEANWFZ Treaty. Five months earlier, Vietnam had joined ASEAN. Cambodia, Laos and Myanmar were not yet members of ASEAN but were consulted two months before the signing.

Under the SEANWFZ Treaty, the States Parties are bound not to develop, manufacture, acquire or have control over nuclear weapons; station or transport nuclear weapons by any means; test or use nuclear weapons; and allow in their respective territories any other state to do these acts. They also undertake not to dump at sea or discharge into the atmosphere anywhere within the Zone any radioactive material or

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wastes; dispose radioactive material or wastes on land in the territory of or under the jurisdiction of other States (except in accordance with International Atomic Energy Agency [IAEA] standards and procedures); nor allow, within their territories, any other State to dump at sea or discharge into the atmosphere any radioactive material or wastes.[10]

The Treaty and its Protocol apply to the territories, continental shelves, and exclusive economic zones (EEZ) of the State Parties within the Zone in which the Treaty is in force.[11] This application does not prejudice the rights of any State under the provisions of the UN Convention on the Law of the Sea of 1982 (UNCLOS). In particular, each State Party to the Treaty may decide for itself whether or not to allow visits by foreign ships and aircraft to its ports and airfields, transit of its airspace by foreign aircraft, and navigation by foreign ships through its territorial sea or archipelagic waters and overflight of foreign aircraft above those waters in a manner not governed by the rights of innocent passage, archipelagic sea lanes passage or transit passage.[12] The Protocol calls on the NWS to respect SEANWFZ and not to contribute to any act which constitutes a violation of the Treaty.

The New Strategic Environment

Having been ratified, the SEANWFZ Treaty came into force among the ten signatory states three decades after the establishment of ASEAN. This was a period of rapid change and transformation in the region and in the world. By 1997, there was no longer an overarching and overriding global-level security dynamic as had been created by the Cold War between the United States and the former Soviet Union. Southeast Asia was no longer a region divided between communists and non-communists. Except for Cambodia, all countries in Southeast Asia were already members of ASEAN. It was also in 1997 when the historic summit meetings between the leaders of ASEAN and their Northeast Asian counterparts from China, Japan and the Republic of Korea were held in Subang Jaya. Two years later, the same leaders signed in Manila the Joint Statement on East Asia Cooperation in recognition of "the growing regional interdependence in the age of globalization and information". The entry of Cambodia into ASEAN in 1999 placed all ten countries of Southeast Asia under an indigenous intergovernmental organization for the first time in the region's history.

As a result of a series of agreements on nuclear weapons reduction and/or inability to sustain the nuclear arms race, the world's nuclear arsenal has been considerably reduced. The estimated number of nuclear warheads built worldwide since 1945 is about 128,000 (Norris and

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Kristesen 2002, pp. 103–104). All but 2 per cent of these nuclear warheads were built by the United States (55 per cent or 70,000+) and Russia (43 per cent or 55,000+). Under the Treaty on the Further Reduction and Elimination of Strategic Offensive Arms (START II), the approximate number of strategic U.S. and Russian nuclear weapons in 2003 was approximately 3,500 and 3000, respectively. The maximum number of deployed strategic nuclear weapons that would remain in the U.S. and Russian arsenals by 2012 as agreed under the Treaty of Moscow (also known as SORT) signed by U.S. President George W. Bush and Russian President Vladimir Putin in May 2002 would be between 1,700 and 2,200. However, SORT does not address strategic nuclear warhead destruction or tactical nuclear weapons limits, both ground-breaking arms control measures that were suggested for inclusion in START III. If negotiated and ratified, the approximate number of strategic nuclear weapons suggested as the ceiling for the United States and Russia under START III would be about 1,500 to 2,000.

At the same time, new NWS have emerged, with serious strategic implications. The May 1998 nuclear tests in India and Pakistan have altered the global non-proliferation and disarmament situation. The tests have signalled that nuclear weapons could become a commonplace in the strategic landscape. They raise serious doubts about the extent to which the nuclear weapons race was linked only to the singular historical circumstances of the Cold War.[13] The pressure on India arose from being sandwiched between nuclear Pakistan and China. Israel is also believed to have developed nuclear weapons, which could well motivate its neighbours in the Middle East to do the same clandestinely. India, Pakistan and Israel are not parties to the Treaty on Nuclear Non-proliferation (NPT) and the Comprehensive Test Ban Treaty.

While India, Pakistan and Israel are not parties to the NPT, North Korea has withdrawn from it and claimed the right to develop nuclear weapons. It is believed that North Korea has already embarked on a nuclear programme based on a reactor type suited to a nuclear weapons programme — a reactor that produces a relatively high percentage of weapons-grade plutonium. It is also acquiring delivery systems. The Pakistani Gharry missile and the Iranian Sheehan missile are said to be identical with a North Korean prototype.[14]

Today, various forms of transnational crime, including international terrorism, have risen as the new sources of threats to international, national and human security. These non-traditional security threats include arms smuggling, illicit trafficking of drugs and narcotics, trafficking in persons, piracy, money laundering, transboundary pollution and cyber-terrorism. Domestic and inter-ethnic conflicts have killed more people than inter-state wars since the end of the Cold War.

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For many, feelings of insecurity arise more from worries about daily life than from potential regional or global war. Job security, income security, health security, security from crime, environmental security and natural disasters have become the pressing human security concerns (Abad 2000, p. 3). At the same time, the possibility of terrorists acquiring, threatening to use or even using weapons of mass destruction has become "the sum of all fears".[15]

The Continuing Strategic Significance of SEANWFZ

The end of the Second World War and the Cold War and the current preponderance of U.S. military power have not ended the development and proliferation of nuclear weapons and other weapons of mass destruction. At the root of the problem are continuing international conflicts, the lack of trust and confidence between the NWS, the insecurities if not aggressive intentions of rogue regimes and the illicit and lucrative trade in nuclear material, weapons and their delivery systems. The SEANWFZ Treaty clearly remains a strategically important contribution of the ASEAN region in the worldwide campaign against nuclear weapons and the regime of mutually assured destruction. Some specific reasons are as follows.

First, the nuclear arms race is not over yet. At present, there are 12 nations with nuclear weapons programmes and 28 nations with ballistic missiles.[16] There are still thousands of nuclear warheads deployed in the world and each has roughly 15 times the power of the Hiroshima bomb. Even if START II, SORT and START III were implemented, the remaining stock would still be sufficient to destroy the world.

The nuclear race could take on a different direction following the United States' 13 December 2001 announcement of unilateral withdrawal from the 1972 Anti-Ballistic Missile (ABM) treaty and its hesitance to ratify the Comprehensive Test Ban Treaty. The United States' Nuclear Posture Review of 9 January 2002 reaffirmed that the United States would develop and deploy missile defences that were more capable than that permitted by the ABM Treaty.[17]

While Russia has devised "asymmetric" intercontinental ballistic missiles (ICBMs) to overwhelm U.S. missile defence systems, Russia is concerned about the disruption of the strategic balance. Russia considers the 1972 ABM Treaty "the cornerstone of strategic stability".[18] China, whose nuclear arsenal consists of a few missiles, might feel deprived of the capacity for retaliation and, therefore, might feel vulnerable to nuclear blackmail. Other countries that the U.S. claims to be the sources of threats could respond with counter-measures. The Bush administration's announcement might well have set in motion a new

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arms game that could have far-reaching consequences for regional stability and global arms control and non-proliferation (Yuan 2002, p. 1).

Furthermore, the U.S. Presidential Decision Directive (PDD) No. 60 of 1997 recommitted the United States to policies of threatened first use and retaliation and permitted nuclear strikes against any non-nuclear weapon state (NNWS) that had used chemical or biological weapons. Among the implied intention of PDD No. 60 is that the U.S. would continue to rely on nuclear weapons in the indefinite future. In addition, U.S. President Bill Clinton's transmittal letter to the Senate for the ratification of the CTBT in 1997 explicitly stated that the U.S. "will withdraw from CTBT if a high level of confidence in the safety or reliability of a nuclear weapon type critical to the Nation's nuclear deterrent could no longer be certified without nuclear testing".

In October 1996, Malaysia introduced a resolution at the UN General Assembly which called for multilateral negotiations to begin in 1997 leading to a conclusion of a Nuclear Weapons Convention prohibiting the development, production, testing, deployment, stockpiling, transfer, threat or use of nuclear weapons and providing for their elimination. It was adopted by 115 votes to 22 with 32 abstentions. This initiative was made pursuant to Article 6 of the NPT, which mandated that "Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control". This goal remains a distant reality not only because of the lack of political will of the declared NWS under the NPT to fully dismantle their nuclear armaments, but also because of the emergence of new declared and undeclared NWS.

Second, nuclear weapon-free zones contribute to the non-proliferation of weapons of mass destruction. This has been acknowledged by various international agreements and organizations. The 1968 Treaty on the Non-Proliferation of Nuclear Weapons guaranteed the right of countries or groups of countries "to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories". The UN General Assembly Resolution 3472B of 11 December 1975 considered nuclear weapon-free zones one of the most effective means for preventing the proliferation, both horizontal and vertical, of nuclear weapons. The Middle Powers Initiative (composed of Brazil, Egypt, Ireland, Mexico, New Zealand, Slovenia, South Africa and Sweden) has also viewed NWFZs "a significant contribution to the goal of a nuclear-weapon-free world".[19] NWFZs, together with other regimes, such as national export controls

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coordinated under the Nuclear Suppliers' Group (NSG) and the Missile Technology Control Regime (MTCR), contribute in creating barriers to the proliferation of nuclear weapons and their delivery vehicles.

One of the pressing problems in nuclear proliferation is the difficulty of containing the sheer amount of stockpiled fissile materials. About 3,000 tonnes of plutonium and highly enriched uranium (HEU) exist in the world, less than one per cent of which are under IAEA safeguards. Two-thirds of the world's plutonium and HEU was produced specifically for military purposes and two-thirds of this, or about 1,300 tonnes, is now considered military surplus. While the NNWS are legally obliged under the NPT to place their fissile materials under IAEA safeguards, there is no treaty to control fissile materials in the NWS or the non-NPT countries.

The Tokyo Forum for Nuclear Non-Proliferation and Disarmament stated in its report that,

> Progress towards nuclear disarmament is inextricably tied to success in non-proliferation efforts. Without movement towards nuclear disarmament, the norm of non-proliferation is weakened. Without success in non-proliferation, the goal of zero nuclear weapons is unlikely to be achieved. The central compact in the NPT between NWS and NNWS must be strengthened.[20]

This is the same position that the Canberra Commission on the Elimination of Nuclear Weapons took in 1996 when it reported that,

> The NPT rests on this promise and it must be kept. To deal effectively with proliferation, therefore, means also tackling head on the problem of nuclear disarmament and the elimination of nuclear weapons at the earliest possible time.

Further reinforcing this view, the New Agenda Coalition of the Middle Powers Initiative has added its voice in underscoring that "Disarmament alone will not bring about a world free from nuclear weapons. Effective international cooperation to prevent the proliferation of these weapons is vital".

The concept of NWFZs as a strategy of nuclear disarmament has been criticized as flawed because it shifts the burden of verification from NWS to NNWS (de Montbrial 1989, pp. 11–12). However, the problem of nuclear disarmament, particularly among the declared NWS that have sophisticated control systems, is not so much the effectiveness of technical verification but the lack of political will to disarm. Moreover, while disarmament is an important task, non-proliferation is an equally important track towards the complete elimination of nuclear weapons. It is in the latter where NWFZs contribute significantly.

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The entry into force of the SEANWFZ Treaty and the specific undertakings of each State Party not to develop and acquire nuclear weapons and to establish a regional control system for the purpose of verifying compliance, including the application of the IAEA safeguards system, should constitute a valuable preventive measure against the possibility of nuclear materials and facilities falling into the hands of terrorist organizations. Indeed, there have been incidents where some countries in Southeast Asia have reportedly become unwilling parties to the activities of proliferators.[21] Since the networks of terrorist organizations are global, they are capable of taking advantage of the weakest links in the multinational business of proliferation. To prevent this "ultimate catastrophe", NWS have been called to revise their postures and pronouncements to marginalize nuclear weapons from any role in international politics (Allison 2004, p. 205).

Indeed, the increased probability of nuclear materials and fuel-cycle technology falling into the hands of terrorists as a result of nuclear proliferation and increased atrocities of international terrorism might have set off a new momentum of cooperation in the field of non-proliferation. For example, UN Security Council Resolution 1373 of 28 September 2001, which created the UNSC Counter-Terrorism Committee, clearly acknowledged the close connection between international terrorism and illegal movement of weapons of mass destruction and called for measures to prevent and suppress terrorist acts. Then on 2 July 2004, the ASEAN Regional Forum (ARF) issued the Statement on Non-Proliferation, which called for "regional dialogue and cooperation in order to strengthen a global response to this serious challenge and threat to international security". However, there are no clear indications that this renewed momentum will translate into enthusiastic support for NWFZs and, much less, nuclear disarmament by the NWS. Nevertheless, SEANWFZ has given Southeast Asia a legally binding instrument for promoting regional security by renouncing nuclear weapons and weapons-intended materials and preventing their proliferation in the region,

Third, NWFZ buttresses the principle that the threat or use of nuclear weapons is contrary to the rules of international law applicable in armed conflict and, in particular, the principles and rules of humanitarian law. On 14 May 1993, the Assembly of the World Health Organization (WHO) passed resolution 46/40 in which the organization requested the International Court of Justice (ICJ) to give an advisory opinion on whether the use of nuclear weapons by a country in war or other armed conflict would be a breach of its obligations under international law, including the Constitution of the WHO. Taking up the WHO initiative, the UN General Assembly passed a resolution on

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15 December 1994 requesting the ICJ to render its advisory opinion on the following question: "Is the threat or use of nuclear weapons in any circumstance permitted under international law?"

The ICJ issued its advisory opinion on 8 July 1996, which concluded that the threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict and, in particular, the principles and rules of humanitarian law. But the ICJ could not conclude definitively whether the threat or use of nuclear weapons would be lawful or unlawful in an extreme circumstance of self-defence in which the very survival of a state would be at stake. Nevertheless, the ICJ recalled that there existed an obligation under Article VI of the NPT for nuclear disarmament in all its aspects. Fulfillment of such obligation would eliminate the gravest threat to national survival not only among the NWS but also of the NNWS.

Fourth, SEANWFZ contributes to maintaining regional peace and security. The Protocol to the Treaty, when signed by NWS, will bind them not to use or threaten to use nuclear weapons against any State Party to the Treaty. The Protocol further requires them to undertake not to use or threaten to use nuclear weapons within the zone. However, this latter provision, which constitutes a negative security assurance among NWS, is considered unprecedented and has remained unacceptable to most NWS. Nevertheless, even if negative security assurances are to be limited to the States Parties to the Treaty, SEANWFZ will still have removed a major source of threat to human existence in the region. Furthermore, by renouncing the development or acquisition of nuclear weapons and requiring each State Party to conclude an agreement with the IAEA for the application of full scope safeguards to its peaceful nuclear activities, a considerable level of risk of nuclear accident has been eliminated.

When SEANWFZ was conceived three decades ago, there were views expressed that it was unlikely to make any significant contribution to regional security because none of the states in the region were potential nuclear powers (Alagappa 1987). But with the level of economic and technological achievements in some countries in Southeast Asia today, this same assessment would now be difficult to reaffirm. In addition, the categorical resolve of the United States and Russia and other NWS to continue to possess and deploy nuclear weapons, thereby maintaining the status quo between the haves and the have nots, could make other countries feel less constrained to equalize when a perceived need and technical capability match up. This was precisely the justification used by India when it declared that its national security in a world of nuclear proliferation rested "either in global nuclear disarmament or in exercise of the principle of equal security for all"

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(Singh 1998, pp. 41–42). Some countries in Southeast Asia, in fact, initially resisted the indefinite extension of the NPT and advocated for a limited time extension at each review conference.

It is conceivable that a NWFZ could have a negative effect if it has an unfavourable impact on the strategic balance in the region. In the case of SEANWFZ, for example, the United States might be negatively affected the most among the NWS because of the limitation the Zone would impose on its predominant naval projection in the vital sea lanes in the region as well as its access to ports and airfields of its allies. China would seem to benefit the most because SEANWFZ could limit the manoeuverability of the other NWS within what it considers its natural sphere of influence. But SEANWFZ should be viewed in the overall context of confidence building and cooperative activities that ASEAN is trying to promote not only among its members but also with all countries which have legitimate interests in the region and capable of affecting the regional security situation. China, Japan, Russia and the United States are founding members of the ARF, which was initiated by ASEAN in 1994 to advance cooperative security through dialogue, cooperation and norm building.

Indeed, respect for and compliance with SEANWFZ is largely in the hands of the NWS and that, in the final analysis, possession and deployment of nuclear weapons could only be verified based on the declaration of the NWS themselves. But while most Southeast Asian countries today might not have sufficient technical capability to detect technologically advanced nuclear weapons and their delivery systems, such capability could be acquired or imparted over time. Cooperative arrangements between the Treaty States and the Protocol States could also be devised under mutual agreement. SEANWFZ has also tried to mitigate this situation by requiring visiting and transiting foreign ships and aircraft to its ports and airfield to notify a State Party which would then decide whether or not to allow them to do so. Furthermore, it is assumed that NWS signing on to the Protocol to the SEANWFZ Treaty would be doing so in good faith.

The establishment of NWFZ does not of itself involve any disarmament since weapons not within such a zone may be deployed elsewhere. Rather, it has been referred to as a form of nuclear disengagement. By adding pressure against the NWS, NWFZ is a de-aligning strategy that, at heart, challenges the imperial interests of the nuclear powers. The creation of nuclear-free zones as a form of area-denial to the nuclear powers has been regarded as significant as an inspiration as much as an actual achievement (Tanter 1988, p. 185).

Multinational treaty-based or unilateral declarations of nuclear weapon-free or nuclear-free zones represent a geographic approach of

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countries or groups of countries to voluntary bind themselves to refrain from acquiring nuclear weapons and to obtain assurances from all NWS to respect such regimes. NWFZs represent political and military area denial. As a political tool, a NWFZ exists as a means to an end by discouraging member countries from acquiring nuclear weapons themselves or from increasing their involvement in the forward deployment of nuclear weapons systems of other states. They build confidence that security is enhanced rather than diminished by the removal of probable nuclear targets.

Fifth, SEANWFZ is a major regional confidence-building measure among Southeast Asian states and between them and their immediate neighbours. SEANWFZ is an expression of a collective desire and resolve of small and developing states of Southeast Asia to exercise control over their common security. It is a statement of reassurance of their peaceful intentions. Binding themselves not to acquire nuclear weapons is a form of mutual reassurance not to be a source of threat to one another. It is a signal to the neighbouring states of their readiness to engage constructively and an expression of independence in managing the region's external relations, particularly in its relations with the NWS.

SEANWFZ builds on the only other ASEAN treaty, the 1976 Treaty of Amity and Cooperation in Southeast Asia (TAC), which binds all contracting parties to renounce the threat or use force in their relations with one another and provides for a regime of pacific settlement of disputes. Offering TAC as a common code of conduct in the broader region, the Treaty was opened for accession by other states outside Southeast Asia on 15 December 1987. The TAC today counts China, India, Japan, the Republic of Korea, Pakistan, Papua New Guinea and the Russian Federation as Treaty States. Australia, New Zealand and several more countries have also expressed intention to accede. The widening acceptance of TAC as a diplomatic and political instrument for managing interstate relations could be an indication of greater political will to promote norms and confidence building in the region today. But whether or not this trend could inevitably extend to SEANWFZ remains to be seen. The SEANWFZ Treaty has much more explicit constraining provisions and implications for military posture than the TAC. Nevertheless, more relaxed interstate relations could only contribute towards creating a more favourable environment for a SEANWFZ that is respected by the NWS.

ASEAN's concept of neutrality is more political than military. ZOPFAN and SEANWFZ are not aimed at abrogating security relations with non-regional states. In fact, the Philippines and Thailand have maintained their ally status with the United States expressed through

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their respective mutual defence arrangements with the United States. Malaysia and Singapore have remained parties to the Five Power Defence Arrangement with the United Kingdom, Australia and New Zealand. These arrangements are extensions of colonial relationships. They symbolize some ASEAN countries' dilemma in reconciling their political aspirations with the security dynamic of the Cold War era and the strategic uncertainties at the beginning of the new millennium. Even Indonesia had entered into the Agreement on Maintaining Security with Australia in 1995 — until Indonesia unilaterally abrogated it when Australia led a multinational peacekeeping force to stabilize East Timor following a referendum that voted for its political independence in 1999.

To a great extent, the concepts of ZOPFAN and SEANWFZ were reactions against the dominance and interference of the major powers in Southeast Asia. Interestingly, it was the end of the Cold War and proxy conflicts in Southeast Asia that facilitated the negotiation and signing of the SEANWFZ Treaty in 1995.[22] The decision to carry the process forward reflects ASEAN's reading of international relations as dynamic if not unpredictable. Indeed, the restructured international power politics could have the same implications for small and developing countries. The end of the Cold War did not, in fact, translate into an end to nuclear weapons.

Response of Nuclear Weapon States

The Treaty provides for a protocol of accession by the Nuclear Weapon States. While openly expressing support for the concept of NWFZs and appreciation to the States Parties for their commitment under the Treaty, no NWS has signed the Protocol to the Treaty. Negotiations for the accession of the NWS to the Protocol have reached an impasse due to some provisions in the Treaty, including the (a) provision on negative security assurances among the NWS in Article 2 of the Protocol to the Treaty, which most NWS consider "the single most difficult";[23] (b) the perceived potential conflict between Articles 3.2 and 7 of the Treaty or between what the Treaty prohibits and the right of a State Party to decide for itself whether to allow port visits and transit; and (c) the zone of application of the Treaty, which included not only the territories but also the continental shelves (CS) and 200-mile exclusive economic zones (EEZ) of the States Parties within the Zone and its implications on territorial disputes and legal and ocean policy.[24]

On the first issue, the SEANWFZ Drafting Committee believed that the first half of Article 2 of the Protocol, which was a negative security assurance (NSA) to be given to States Parties to the Treaty, would be

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meaningless without the second half, which extended NSA to NWS when in the Zone. But most NWS were against this supposedly unprecedented and unique provision of extending NSA to other NWS.[25] Some NWS have expressed concern that the Zone might serve as a sanctuary to NWS that are not parties to the Protocol to the SEANWFZ Treaty. The NWS have argued that they have already given security assurances against the use of nuclear weapons to non-nuclear-weapon states (NNWS) that are Parties to the NPT (i.e., UNSC S/1995/261, S/1995/262, S/1995/263, S/1995/264, S/1995/265).

On the second issue, the potential conflict between the right of a State Party whether to allow visits, transit, navigation and overflight under Article 7 vis-à-vis its Basic Undertakings not to allow, in its territory, any other State to possess, control and station nuclear weapons under Article 3.2 was always in the minds of the members of the Drafting Committee.[26] The common stance was that this perceived conflict had been resolved by the phrase "Each State Party may decide for itself". Furthermore, in the face of the "neither confirm not deny" policy of NWS, the phrase "on being notified" was proposed to be inserted by an ASEAN Member Country and adopted by the ASEAN-SOM at its meeting in Ancol on 23–25 November 1995. But the insertion of that phrase simply imposed a requirement to be met by NWS and did not fully resolve the question whether Article 3.2 could inhibit the exercise of the right to decide for itself under Article 7. Thus, most NWS continue to question the compatibility of these two provisions.[27]

On the third issue, during one of the consultations between the drafters and representatives of the NWS, a view was expressed that the inclusion of CS and EEZs in the Treaty could result in a violation of existing international law by asserting over areas where high seas freedoms were guaranteed. For example, an assertion of navigational authority over these areas might not be in conformity with the legal requirements established for these areas by the UNCLOS. Some have also expressed concern that the unresolved territorial and maritime disputes in the region have made the problem of the zone boundaries even more complicated.[28] China has been the most supportive of SEANWFZ among the NWS. China has stated that it has more interest in the Treaty than other NWS because SEANWFZ adjoins China and that its scope involves parts of the South China Sea. Nevertheless, China has proposed that, "given the existing (territorial) disputes, the nuclear weapon-free zone should, at the present stage, be limited to the territories of the States Parties to the Treaty proper".[29]

The Drafting Committee did not intend to use the Treaty to advance the territorial claims of concerned States Parties. The CS and EEZ were added in the third draft on 1 April 1993 primarily for the purpose of

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protecting the Zone against the possible dumping of radioactive material or wastes as part of the Basic Undertakings of the States Parties. In this regard, some NWS have argued that the Seabed Arms Control Treaty of 1971, which prohibited emplantation and emplacement on the seabed, ocean floor, and in the subsoil thereof, beyond territorial seas, of nuclear weapons or other types of weapons of mass destruction as well as structures, launching installations or any other facilities specifically designed for storing, testing or using such weapons, was a sufficient guarantee that the region's continental shelves would be free from WMD. The Seabed Treaty, however, was limited to banning the emplacement of nuclear weapons or any other types of WMD but not radioactive material or wastes. It was meant to prevent NWS from using the seabed as a new environment for military installations, including those capable of launching nuclear weapons.[30]

Given the current impasse, Southeast Asian states have at least three options. First, continue to secure the signature of all NWS to the current Protocol while defending the current provisions of the Treaty and the Protocol. Under this scenario, the Protocol could be opened for China's signature as it has expressed readiness to do so, provided that a statement that nothing in the Treaty shall affect the territorial boundaries and rights under UNCLOS could be inserted into the Protocol as a new article.[31] This option, however, might suspend further consideration by other NWS about becoming parties to the Protocol. This option suggests that ASEAN should take a moral high ground. SEANWFZ would, therefore, serve as an expression, in legal form, of a regional sentiment against the use and threat of use of WMD and their proliferation. Such a course of action would reflect the outlook of the original working paper on SEANWFZ, which stated that "a Protocol, essential though it is for the effective functioning of the NWFZ, should not constitute a prerequisite for the entering into force of the arrangement or agreement establishing the NWFZ".[32]

Second, enter into a package deal and address at once all the concerns of NWS by (1) adopting a legally binding attachment to the Treaty stating that port and airfield visits are not compromised by the prohibitions under the Basic Undertakings of the States Parties; (2) limiting the negative security assurance of non-use or threat of use of nuclear weapons against the States Parties, but not including the Protocol States; and (3) adopting a new article in the Protocol on the territorial issue and rights under UNCLOS as mentioned above. This option, provided that the new provisions are negotiated successfully, has the biggest chance of most NWS signing on to the Protocol. In order to address the concern of some countries in Southeast Asia that such extra effort to reconcile Articles 3.2 and 7 could potentially open the Treaty

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to different interpretations and infringe on the very purpose of the Treaty, the States Parties could revisit, for possible inclusion into the Protocol, an earlier suggested provision stating that transit of nuclear weapons through the Zone must not prejudice, threaten or endanger the defence and security of the States of the Zone as originally conceived in the 1982 Working Paper on SEANWFZ.[33]

Third, pending unanimous agreement with all NWS, secure political undertakings from all NWS (i.e., through unilateral or collective political declaration) that they would not contribute to any act, which would constitute a violation of the Treaty or its Protocol.[34] Such undertakings would be compatible with and could complement the first option above, except that this third option leaves the door open for continued consultations indefinitely until circumstances become more favourable.

Conclusion

The Southeast Asia Nuclear Weapon-Free Zone remains strategically relevant because (a) it conveys a message of peace and security; (b) it contributes to the global campaign against the proliferation of nuclear weapons and the use and threat of use of weapons of mass destruction; (c) it adds pressure to the NWS to pursue nuclear disarmament; and (d) it contributes to building the confidence of Southeast Asian countries in managing their common security and exercising a good measure of control over their destiny. The probable nexus between international terrorism and WMD has created a new urgency for international cooperation in nuclear disarmament and non-proliferation. However, whether or not such renewed interest could be translated into enthusiastic support for NWFZ remains to be seen. Nevertheless, SEANWFZ has given Southeast Asia a framework for cooperation in preventing terrorist organizations from acquiring materials to develop and use nuclear weapons or from transporting them through the region. Each State Party to the Treaty is bound to apply IAEA's full scope safeguards in their use of nuclear energy for peaceful purposes. The challenge now is to ensure that the control system mandated by the Treaty for the purpose of compliance verification works effectively. The credibility of SEANWFZ greatly depends on the capability of States Parties to the Treaty to regulate themselves as well as in their commitment to building an effective global coalition of like-minded states. Indeed, NWFZs would not exclude any region from an all-out nuclear war begun elsewhere in the world. Therefore, removing the threat of nuclear war in any region requires simultaneous initiatives in regional and global dimensions of nuclear deployments (Hayes and Zarsky 1988, p. 85). To remain relevant and meaningful, the spirit of

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SEANWFZ should transcend the regional interest of Southeast Asia. While born out of a desire to be neutral and free from the entanglement of imperial power politics, SEANWFZ should reinvent itself as a proactive instrument of engagement in the maintenance of international peace and security.

NOTES

1 The full text of the SEANWFZ Treaty can be found on the ASEAN website at http://www.aseansec.org/2082.htm.

2 Zone of Peace, Freedom and Neutrality Declaration, Kuala Lumpur, 27 November 1971.

3 In his statement at the signing of the ASEAN Declaration, Philippine Secretary of Foreign Affairs Narciso Ramos described how the negotiation "truly taxed the goodwill, the imagination, the patience and understanding of the five participating Ministers".

4 It may be recalled that British and Commonwealth forces were actively involved in the "Confrontation" between Indonesia and Malaysia from 1963 to 1966 following the incorporation of Northern Borneo (Sabah) and Sarawak territories into the newly established Federation of Malaysia. For instance, British Special Air Services (SAS) launched "Operation Claret", a series of incursions starting in June 1964 that went up to ten kilometres into Indonesia's Kalimantan. There were reportedly about 14,000 British and Commonwealth forces in Borneo at that time. See D. Easter, "British Intelligence and Propaganda during the 'Confrontation', 1963–1966", *Intelligence and National Security* 16, no. 2 (Summer 2001): 83–102.

5 On its own initiative, Indonesia held a two-day seminar on 14–15 January 1985, which produced a more detailed proposal of a nuclear weapon-free Southeast Asia. Attending the seminar were 65 participants from the Indonesian Department of Foreign Affairs, National Defence Institute, Center for Strategic and International Studies, and other institutions dealing with international issues. See Mochtar Kusumaatmadja, "Keeping Away from Dangers of Nuclear Weapons". Paper presented at the ASEAN Experts Group Meeting on ZOPFAN, Kuala Lumpur, 5–6 January 1991, p. 2.

6 Third ASEAN Summit's Programme of Action for the Enhancement of ASEAN Cooperation, Manila, 15 December 1987. The first and second meetings of the Drafting Committee were held in Kuala Lumpur and Jakarta on 20–24 April and 25–27 May 1987, respectively.

7 Manila Declaration, Third Meeting of the ASEAN Heads of State or Government, 15 December 1987. This policy was first stated in the Declaration of ASEAN Concord on 24 February 1976.

8 Opening Statements at the ASEAN Ministerial Meeting, 23 July 1993.

9 Subsequent meetings of the Working Group on ZOPFAN and SEANWFZ were held as follows: 30 March to 1 April 1993 in Jakarta; 21–23 December 1993 in Bangkok; 3–4 November 1994 in Bandar Seri Begawan; 21–22 July 1995 in Bandar Seri Begawan; 21–22 September 1995 in Bandung; 24–26 October 1995 in Yogjakarta; 20–21 November 1995 in Jakarta.

10 Article 3, SEANWFZ Treaty.

11 The Southeast Asia Nuclear Weapon-Free Zone has been defined as "the area comprising the territories of all States in Southeast Asia, namely, Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand

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and Vietnam, and their respective continental shelves and exclusive economic zones" (Article 1(a), SEANWFZ Treaty).

12 Article 7, SEANWFZ Treaty.

13 "Facing Nuclear Dangers: Report of the Tokyo Forum for Nuclear Non-Proliferation and Disarmament (Tokyo Forum)", Tokyo, 25 July 1999 (Tokyo: Japan Institute of International Affairs, 1999), p. 11.

14 Tokyo Forum, 1999, p. 29.

15 Quoted from a lecture by Graham Allison (who was borrowing the title of Tom Clancy's 1991 novel) at the Program for Senior Executives in National and International Security, Kennedy School of Government, Harvard University, on 19 August 2004, which was attended by the author.

16 Moreover, there are 13 nations which possess biological weapons and 16 nations with chemical weapons. See Center for Defense Information (CDI) Website at http://www.cdi.org/nuclear/facts-at-a-glance.cfm#1.

17 U.S. Department of Defense, "Findings of the Nuclear Posture Review", 9 January 2002.

18 Reply by Russian Ambassador Gennady Gerasimov to interview by RIA Novosti, 13 March 2001.

19 New Agenda Coalition Joint Declaration, 9 June 1998, as reprinted in *Fast Track to Zero Nuclear Weapons: The Middle Powers Initiative* (Cambridge, Mass.: The Middle Powers Initiative, 1998).

20 Tokyo Forum, op. cit. 1999, p. 44.

21 See, for example, William J. Broad, David E. Sanger and Raymond Bonner, "Nuclear Proliferator: How Pakistani's Network Offered the Whole Kit", *International Herald Tribune*, 13 February 2004, and "A World Wide Web of Nuclear Danger", *The Economist*, 28 February 2004, pp. 27–29.

22 It has been argued that the concept of neutrality is irrelevant to a situation of relative peace and in the absence of war. Scholars refer to a theoretical optimum of conflict intensity and its dilemma. In this particular case, it has been observed that while the lessening of ideological conflicts was conducive to the realization of ZOPFAN, the end of such conflicts made the concept irrelevant. The ZOPFAN concept has also been viewed to have no historical precedent because it was applied both in times of war and peace unlike earlier experiences in Europe and in the Americas, where cases of "armed neutralities" and "neutral zones" were applied in times of war. It could be argued, on the other hand, that the absence of war in the region does not mean the absence of conflict. See Muthiah Alagappa, "Regional Arrangements and International Security in Southeast Asia: Going Beyond ZOPFAN", *Contemporary Southeast Asia* 12, no. 4 (March 1991): 269–305, and Heiner Hanggi, *ASEAN and the ZOPFAN Concept*, Pacific Strategic Papers 4 (Singapore: ISEAS, 1991).

23 In its written comments, in response to the proposals of the ASEAN Working Group on SEANWFZ of October 1996, the United States categorically said that, "We will not be able to sign the Protocol so long as the second sentence of Article 2 (of the Protocol) requires this expansive commitment" because (1) the geographical boundaries of the Zone are at present undefined and (2) it confers the same NSA upon any State in the Zone, regardless of whether or not it has undertaken the solemn obligations of the Treaty. In their Joint Demarche on 9 March 2000, the NWS stated that the deletion of the second sentence of Article 2 of the Protocol "is a necessary precondition for the unanimous support of the P5 to this Protocol".

24 The Drafting Committee noted that while the diagrammatic approach in defining the Zone, i.e., by delimiting and illustrating the boundaries of the Zone on a map

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(like the Treaties of Tlatelolco and Rarotonga) would clearly establish its outer limits as well as maximize the Zone, such an approach might not be feasible because of territorial disputes and unresolved land and maritime boundary issues in the region. (From the Report of the Chairman of the SEANWFZ Drafting Committee to the Chairman of the ASEAN-SOM dated 8 June 1987.)

25 It may be noted, however, that in the case of the Treaty of Rarotonga, Protocol 2 (Article 1.b) does entail NSA in relation to the territories of three nuclear weapon states as a "special and exceptional circumstance" of dependent territories in the South Pacific region of those three states where they have accepted the application to their dependent territories of the prohibitions contained in the Treaty.

26 For instance, this matter was addressed in the Annex to the Working Paper on the Establishment of Nuclear Weapon-Free Zone in Southeast Asia, ASEAN-SOM, Jakarta 11–12 August 1983. The paper stated that in the event that prohibition of transit of nuclear weapons through the Zone was not viable or appropriate, a Protocol to the Treaty should be concluded "in which it is expressly stipulated that transit of nuclear weapons through the Zone must not prejudice, threaten or endanger the defense and security of the States of the Zone and must be at any time consistent with the Montego Bay Law of the Sea Convention of 1982".

27 The Drafting Committee tried to clarify that the Basic Undertakings did not prejudice the rights of innocent and transit passage. In the earlier draft, a proposed provision under the section on Foreign Ships and Aircraft stated: "The provisions of Article 3.1(a) of this Treaty shall not prejudice the rights of innocent passage, archipelagic sea lanes passage or transit passage of foreign ships and aircraft in accordance with the provisions of the UNCLOS of 1982 and consistent with the Charter of the United Nations." This provision was subsequently transposed to the final Article 2.2 of the Treaty. But whether the rights of innocent and transit passage as well as port and airfield visits go with the right to possess, have control, and station nuclear weapons, remain a matter of interpretation or policy. The United States, in its comments in November 1995, proposed to narrow that provision in Basic Undertakings by limiting the prohibition against possession, control and stationing of nuclear weapons by NWS to land and inland waters of the States Parties.

28 Comments made by representatives of the five NWS at a consultation with the SEANWFZ Drafting Committee in Jakarta in November 1995. The concern on the complications of the unresolved territorial disputes was again conveyed to the author during his meeting with officials of the Ministry of Foreign Affairs of the Russian Federation in Moscow on 5 June 1996.

29 China Talking Points on the Draft SEANWFZ, November 1995.

30 See Article 1.1 of the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Subsoil Thereof, 11 February 1971.

31 The Foreign Minister of China expressed this readiness at the 10+1 Meeting in Singapore in July 1999. China submitted the following formulation in February 1997: "Nothing in the Treaty shall affect in anyway the sovereignty, the sovereign rights and the jurisdiction which Protocol Parties have over their territories and in their exclusive economic zones and on their continental shelves and in the exercise by all States of their rights and freedoms of navigation in this area as provided for in international law, in particular the 1982 UNCLOS".

32 Working Paper on SEANWFZ (Basic Principles for an Arrangement Establishing a NWFZ in Southeast Asia), ASEAN-SOM, Jakarta, 11–12 August 1983. The Working Paper further states that NWFZ is an area of nuclear disarmament in which NNWS could play a bigger role than the NWS by showing by actions their commitment to a world free of nuclear weapons.

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33 See endnote number 27 above.

34 The Joint Demarche of the NWS in 2000 stated that, "It is the point of view of the P5 that other points for clarifications may be addressed through unilateral declarations by each of them at the time of its signature". This was reiterated in their Joint Demarche of 15 January 2001 that, "separate unilateral declarations by States Parties to the Protocol constitutes common practice upon signature and ratification". This approach could facilitate the third option. But it could also constrain possibilities of compromise later when "points of clarifications" are already publicly taken by NWS.

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Contemporary Southeast Asia 27, no. 2 (2005): 188–216 ISSN 0219-797X

"Enhanced Interaction" with Myanmar and the Project of a Security Community: Is ASEAN Refining or Breaking with its Diplomatic and Security Culture?

JÜRGEN HAACKE

This article explores whether ASEAN's approach toward Myanmar since May 2003 and the agreed ASEAN Security Community (ASC) concept can be seen to represent major developments in ASEAN's diplomatic and security culture. The article explains that ASEAN's recent diplomatic practice vis-à-vis Yangon qualifies as "enhanced interaction". It also shows that the Declaration of ASEAN Concord II and related documents underscore the collective commitment among ASEAN states to pursue a limited refinement of ASEAN's normative terrain. However, in view of the limits of "enhanced interaction" as well as the opposition to the original Indonesian proposal to develop an ASC, the paper concludes that it is best to view both ASEAN's recent diplomatic practice and efforts to stake out a larger role for ASEAN in preventing, managing and resolving intra-state conflicts and inter-state disputes as not only being in line with, but also as reaffirming the norms and practices of ASEAN's diplomatic and security culture.

Introduction

In June 1998, against the backdrop of the Asian economic and financial crisis and serious diplomatic disagreements with neighbouring Myanmar,[1] former Thai Foreign Minister Surin Pitsuwan called on members of the Association of Southeast Asian Nations (ASEAN) to adopt the concept of "flexible engagement" as a corporate policy.[2] "Flexible engagement" was to allow ASEAN governments to publicly

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comment on and collectively discuss fellow members' domestic policies when these would have cross-border implications, i.e. adversely affect the disposition of other ASEAN states. Surin Pitsuwan's bold proposal constituted a multi-pronged challenge to ASEAN's diplomatic and security culture (Haacke 1999, pp. 583–85).[3] First, "flexible engagement" appeared to challenge the principle of non-interference in the sense that agreement on the concept seemed designed to pave the way for unsolicited involvement in the domestic affairs of other states. Second, the proposal challenged the norm of quiet diplomacy because the concept was to explicitly allow for *public* discussion and criticism of one ASEAN country by another. And, third, by suggesting that the Association should become involved in intra-state issues if these entailed adverse consequences for other members, "flexible engagement" also challenged the long-standing norm that ASEAN should not take up collectively what for the most part would previously have been regarded as bilateral disputes. Arguably, the proposal also threatened to remove the ambiguity that until then had allowed individual member states to sometimes engage in and/or tolerate perceived instances of diplomatic interference. While noting that "flexible engagement" would indeed amount to a new departure for ASEAN, the Thai Foreign Minister was adamant at the time that "flexible engagement" was not incompatible with the principle of non-interference. Rather, it was an attempt to *delimit* the range of situations in which individual member states would henceforth still be justified to appeal to the norm of non-interference to ward off outside involvement in their so-called internal affairs. Notably, the "flexible engagement" idea did not amount to the advocacy of a new security model. Nor was it meant to denote for ASEAN a sudden shift from a state-centric view of security to new security referents or a shift to an exclusive preoccupation with a new category of threats.

In the event, the overwhelming majority of ASEAN countries rejected Surin's proposal, mainly because not to do so seemed to potentially open up a can of worms that could endanger intramural stability and, in some cases, jeopardize regime security. Having repulsed "flexible engagement", ASEAN governments nevertheless informally agreed to henceforth allow for "enhanced interaction".[4] This decision reflected the realization of ASEAN decision-makers that they ultimately could not prevent each other from publicly commenting on those intra-state developments that had a perceived detrimental social, economic or political impact on other members or the Association as a whole. Nevertheless, at the time there was (or seemed to be) a subtle but significant difference between "enhanced interaction" and "flexible

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engagement", insofar as "enhanced interaction" appeared to imply that individual member states could comment on other members' "domestic affairs" although ASEAN should not. In other words, as a compromise, "enhanced interaction" de facto condoned efforts of individual ASEAN leaders to take their colleagues to task on matters heretofore perceived as "domestic affairs" if the issue at hand had cross-boundary implications, while still ruling out the legitimacy of such endeavours being undertaken under ASEAN's auspices. Notably, when put into practice, "enhanced interaction" quickly proved deeply disruptive and divisive within the Association and led to the temporary reassertion of more traditional understandings of ASEAN's diplomatic and security culture (Kraft 2000, Ramcharan 2000, Haacke 1999: 598–603).

However, the Association did not put "enhanced interaction" *ad acta*. Indeed, its members embarked on a number of procedural innovations in the face of regional adversity and mounting security challenges in the period up to 2001. First, ASEAN agreed on the establishment of a surveillance mechanism that was to help prevent a reoccurrence of the Asian financial and economic crisis primarily by sharing and exchanging data and providing for the possibility to communicate any concerns member states might have in relation to macroeconomic developments in another member. Second, ASEAN embraced Singapore's proposal to organize a foreign ministers' retreat where, it was suggested, frank intramural exchanges would be possible. In the aftermath of international intervention in East Timor in September 1999, ASEAN moreover adopted a Thai proposal for an ASEAN Troika (ASEAN 2000) "to enable ASEAN to address in a timely manner urgent and important regional political and security issues and situations of common concern likely to disturb regional peace and harmony". At the same 4th ASEAN Informal Summit in Singapore in November 2000, an attempt was also made to engage Myanmar's core leader, Senior General Than Shwe, in a dialogue on domestic developments. This was followed by the adoption of rules of procedure for the ASEAN High Council in 2001. Although useful instruments in and of themselves, closer inspection of these innovative steps suggested that in both conceptual and practical terms, none of the measures denoted a major development of ASEAN's diplomatic and security culture overall because they still upheld the status of norms like non-interference, quiet diplomacy and also made it voluntary on members to involve ASEAN in dealing with bilateral disputes.[5] Nevertheless, they also indicated a willingness to pursue "enhanced interaction" in the context of ASEAN's intramural diplomacy along similar lines as outlined in relation to "flexible engagement".[6]

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This article attempts to demonstrate that even after 9/11 and members' continuing concerns about the regional fall-out of intra-state, non-traditional and transnational security threats, ASEAN's collective thinking about its shared normative terrain has not been significantly revamped or abandoned. The argument will be developed on the basis of an examination of a major aspect of ASEAN's recent intramural diplomacy, ASEAN's collective stance toward Myanmar, as well as the contestation and final consensus of members on working toward an ASEAN Security Community (ASC). The argument is that ASEAN's censure of Myanmar in the wake of the violence at Depayin on 30 May 2003, although unprecedented in its particularities, did not amount to the Association breaking with the non-interference norm; nor has ASEAN since systematically disregarded other norms of its diplomatic and security culture in relation to Yangon, a point that also applies to the intramural debate about whether Myanmar should assume the chairmanship of ASEAN in 2006/7. It is further argued that Indonesia's original proposal for the establishment of an ASC may have posed a conceptual and political challenge to ASEAN's diplomatic and security culture, but that it met significant intramural resistance before a "sanitized" version was integrated into the Declaration of ASEAN Concord II (also known as Bali Concord II), adopted in October 2003, and, the year after, into the ASEAN Security Community Plan of Action (including its annex) and the Vientiane Action Programme (VAP).

Nevertheless, ASEAN's practical diplomacy vis-à-vis Myanmar in conjunction with some provisions of the three documents concerning the ASC can be interpreted as signalling an acceptance in principle that the Association continue and refine "enhanced interaction". Members now generally consider it to be legitimate for the Association as a whole to take an active interest in members' intra-state developments should these threaten the credibility of the grouping (particularly as regards relations with the Dialogue partners) or the security of the wider region. This view primarily translates into the expectation that governments facing intra-state challenges with regional implications provide updated information on relevant domestic situations at all levels of state interaction. This had not been the ASEAN consensus when Surin Pitsuwan first proposed "flexible engagement". Of course, this expectation should not be confused with the notion of an acceptance by ASEAN members that they are entitled to push for or impose particular solutions to the problem at hand.

The paper is organized into three sections. The first section deals with ASEAN's diplomacy toward Myanmar between June 2003 and April 2005. The second focuses on the ASC proposal, the Plan of

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Action and the Vientiane Action Programme. Both sections provide a brief introductory account of the issues before analysing their significance in relation to ASEAN's diplomatic and security culture. The third and final section explores the reasons why ASEAN countries have on the whole demonstrated a measure of zeal in further refining "enhanced interaction", but no pressing enthusiasm for abandoning its core norms and developing institutional solutions that would soon allow ASEAN to go beyond diplomacy in dealing with regional challenges.

Myanmar and ASEAN's Diplomatic and Security Culture

Following months of growing tensions in Myanmar between Aung San Suu Kyi (and the National League for Democracy, NLD), on the one hand, and the military regime, the State Peace and Development Council (SPDC), on the other, the two sides became embroiled in a bloody encounter at Depayin on 30 May 2003. This incident left at least four people dead and saw Aung San Suu Kyi being taken into "protective custody". While shaken by this turn of events, ASEAN nevertheless postponed a formal *collective* response until the convening of the ASEAN Foreign Ministers' Retreat in Phnom Penh in mid-June. Such tardiness was in part a response to Myanmar's attempts at crisis diplomacy to "clarify" the incident of 30 May and to convince ASEAN partners that the measures adopted against Aung San Suu Kyi were only temporary. However, it was also a reflection of the initial reluctance of some ASEAN states to become involved. In the event, ASEAN foreign ministers used their retreat to let their Myanmar colleague U Aung Win know that the deadly clash and the detention of Aung San Suu Kyi constituted a setback not only for Myanmar, but also for ASEAN as a whole. They took the additional step of inserting into the Joint Communiqué of their subsequent ministerial meeting a paragraph, which "urged Myanmar to resume its efforts of national reconciliation and dialogue among all parties concerned leading to a peaceful transition to democracy" (ASEAN 2003a). ASEAN foreign ministers moreover "welcomed" Myanmar's assurances that the preventive measures taken were temporary and looked forward to the early lifting of restrictions placed on Aung San Suu Kyi and other NLD members. Last but not least, they also reaffirmed their continued support for the efforts of the United Nations Secretary General (UNSG) Special Envoy Razali Ismail. The joint stand at Phnom Penh was also followed up by further diplomatic initiatives by Indonesia and Thailand.

Taking over the chairmanship of the ASEAN Standing Committee after the 36th Ministerial Meeting in Phnom Penh, Indonesia in particular

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saw itself charged with working out a response to the challenge posed by political developments in Myanmar. Initially Jakarta proposed the invocation of the ASEAN Troika mechanism, an idea seemingly also supported, for example, by Malaysia and the Philippines that was to involve sending an ASEAN delegation to Yangon to discuss a political solution to the crisis. The SPDC resisted this proposed course of action. Myanmar's leaders opted instead for bilateral crisis diplomacy vis-à-vis a range of neighbours and Asian powers, including Thailand, Malaysia, Indonesia, Japan and China, through which the SPDC leadership hoped it would be able to win sympathy or understanding for its case. The military regime let pass Jakarta's shrewd invitation to Myanmar's Foreign Minister U Win Aung to attend the July 2003 ASEM Foreign Ministers' Meeting in Bali in order to respond directly to European concerns about the political fall-out of the Depayin incident and Aung San Suu Kyi's renewed detention. Still, on the sidelines of the foreign ministers' meeting of the Asia-Africa Sub-Regional Organisation Conference also held in Jakarta at the end of July, U Win Aung suggested to his Indonesian counterpart, Hassan Wirayuda, that Suu Kyi would not remain in detention for "a long period"; but he declined to provide a timetable for her release or show interest in restarting discussions on national reconciliation with the NLD (Unidjaja 2003).

While supporting Indonesia as ASEAN Chair, Thailand used the Asia-Europe Meeting of Foreign Ministers in July to add its own diplomatic voice to resolving the political stalemate, which Bangkok, like other members, perceived as an ASEAN issue. To break the evident political deadlock in Myanmar, the Thai leadership proposed the idea of a road map that would see the SPDC commit itself to a timetable for the release of Suu Kyi and the regime's steady move toward democracy. Although its precise substance was not immediately divulged in public, Bangkok appeared to advocate a five-step plan for Burma's political future (Jagan 2003; also see *The Irrawaddy* 2003). The first stage of the road map would focus on the release of Suu Kyi and other NLD leaders. Stage two would concentrate on confidence building between the government and the opposition. The drafting and the adoption of a new constitution would underpin stage three. Stage four would represent a transitional period that would culminate in the final stage: the organization of free elections. In addition, Thai Foreign Minister Surakiart Sathirathai put forward the idea of organizing a multilateral forum in which both "like-minded" regional and extra-regional countries would convene to discuss the situation in Myanmar. Although first broached in July, it was apparently not before early August that Surakiart Sathirathai discussed the above two ideas with his Myanmar counterpart. U Win Aung's initial response

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was cool, but the military regime eventually acceded to the idea to participate in the so-called "Bangkok Process".

First, however, in a move seemingly designed to both respond to existing and pre-empt further pressure, General Khin Nyunt, former Secretary-1 of the SPDC and then newly appointed Prime Minister, announced on 30 August (Khin Nyunt 2003) that Myanmar would pursue its own seven-step road map to achieve a "peaceful, modern and developed state".[7] A key plank and starting point of this "Myanmar Roadmap to Democracy" was the reconvening of the National Convention, adjourned since 1996, to prepare the ground for a step by step process that would culminate in a "genuine and disciplined democratic system". Notably, Khin Nyunt remained silent on the timetable for implementation. Neither was a possible date for the release of Suu Kyi given.

In September, Thailand and Indonesia redoubled their diplomatic efforts vis-à-vis Myanmar in view of the rapidly approaching 9th ASEAN Summit in October. However, the missions to Yangon of their respective special envoys, Foreign Minister Surakiart Sathirathai and former Foreign Minister Ali Alatas, met with only limited success; neither managed to meet the Nobel Prize laureate, who by this time was recuperating at home following surgery, nor did they receive an undertaking in relation to her other than that already expressed by the SPDC. Nevertheless, Indonesia and Thailand indicated that they judged the apparent reversal of Aung San Suu Kyi's detention to house arrest as a positive gesture (Unidjaja 2003b). At the Bali Summit General Khin Nyunt certainly made much of this transfer from detention status. And seen in conjunction with Myanmar's road map, ASEAN leaders adopted a more conciliatory tone toward Myanmar than the Foreign Ministers had done. As the 2003 summit communiqué (ASEAN 2003b) put it:

> The Leaders welcomed the recent positive developments in Myanmar and the Government's pledge to bring about a transition to democracy through dialogue and reconciliation. The roadmap as outlined by the Prime Minister of Myanmar that would involve all strata of Myanmar society is a pragmatic approach and deserves understanding and support. The Leaders also agree that sanctions are not helpful in promoting peace and stability essential for democracy to take root.

With this consensus view under its belt, Myanmar saw through its commitment to join interested countries at the first meeting of the International Forum on Myanmar or "Bangkok Process" in December 2003. Represented at this meeting were China, Japan, as well as selected

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member states of ASEAN and the European Union.[8] While not moving to meet key demands, the SPDC used the opportunity by announcing the re-launch of the National Convention (NC), which subsequently began on 17 May 2004. In contrast to the vast majority of ceasefire groups within the country, however, the NLD refused to participate in the reconvened NC in view of the regime's failure to agree to its "minimal conditions" for attending.[9] This was a disappointment for most ASEAN members, not least because then Foreign Minister Win Aung had even been interpreted as indicating that Suu Kyi would be freed before the re-launch of the National Convention.

Political developments in Myanmar were again discussed at the 37th ASEAN Ministerial Meeting in Jakarta in June 2004. In their joint ministerial communiqué, ASEAN indirectly reiterated its criticism from the previous year as it "recalled and emphasized the continued relevance of the Joint Communiqué of the 36th AMM and the Chairman's Press Statement of the 9th ASEAN Summit" (ASEAN 2004b). ASEAN foreign ministers also "underlined the need for the involvement of all strata of Myanmar society in the on-going National Convention" and "encouraged all concerned parties in Myanmar to continue their efforts to effect a smooth transition to democracy".

The subsequent ASEAN Summit in Vientiane in November 2004, preceded by the sudden removal of Khin Nyunt the previous month, saw Myanmar's incoming Prime Minister Soe Win engage in bilateral meetings with a select number of colleagues as well as informally brief his ASEAN counterparts without, however, providing new details or insights. Notably, the Summit Statement, issued by Laos, made no reference to Myanmar. Interestingly, it had transpired even before the actual summit meeting that developments in Myanmar would probably not explicitly be mentioned let alone criticized in the Chair's Statement (Nopporn 2004). Nor was ASEAN going to issue a separate statement on developments in Myanmar.

Having escaped censure, Myanmar's military leadership for its part used the occasion of the Summit to announce the extension of Aung San Suu Kyi's house arrest for another year. This drew no collective rebuke from the Association, but was the cause of considerable disappointment, especially in quarters already critical of Myanmar. Indonesia, voicing frustration that there had been no immediate confirmation and no explanation for the extension of the detention that went beyond the regime's previous rationalization, publicly bemoaned a gap between SPDC rhetoric and "reality" (*Jakarta Post* 2004).

As Spring 2005 approached, ASEAN members abandoned the separation of, on the one hand, the issue of Suu Kyi and Yangon's

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progress with implementing the road map and, on the other hand, the question of Myanmar's ASEAN chairmanship. Already in December Myanmar had been informed that its pledge to move toward democracy could only be considered credible if the regime released Aung San Suu Kyi. In early March, Singapore Foreign Minister George Yeo informed parliament that ASEAN would discuss Myanmar's chairmanship at the forthcoming FM Retreat in the Philippines. Later that month, Nazri Abdul Aziz, Minister in the Prime Minister's Office of Malaysia, suggested that Myanmar should be refused the chairmanship until democratic reforms were implemented. At the end of March, in the context of his introductory visit to Myanmar, Singapore's Premier Lee Hsien Loong conveyed in person the message that developments in Myanmar had implications for ASEAN. By then, Indonesia too had undertaken a qualitative shift in its position by suggesting in effect that, given the lack of tangible results achieved in implementing the road map, Myanmar should perhaps sort out its domestic preoccupations before assuming the chairmanship. However, not all ASEAN members were equally concerned. Cambodia's Premier Hun Sen indicated support for Myanmar as future chair. And in its capacity as incumbent chair, Laos affirmed the importance of listening to Yangon "before making any decision" (Tansubhapol 2005).

In the event, "Myanmar" was not on the list of topics indicated for the April Retreat. Still, the issue was taken up during an extended coffee break, involving a report by Foreign Minister U Nyan Win and a frank exchange of views. The outcome was that ASEAN voiced reluctance to deprive Myanmar of the rotating chairmanship and left it to Yangon to decide.[10] This was agreeable to Nyan Win, who on arrival in the Philippines had already stated that it was Yangon's decision whether or not to assume the chairmanship just as it was Myanmar's responsibility to sort out its domestic affairs. Nevertheless, while expressing the view that problems on Myanmar's home front and the question of its chairmanship were best again decoupled, Singapore and other original members left little doubt that they saw ASEAN as being in danger of being dragged into Myanmar's domestic politics. These countries also stressed that the military government should act in ASEAN's interest. The question was to be raised once again at the ASEAN Foreign Ministers Meeting in Vientiane in July 2005. However, almost immediately after the Retreat, pressure on Myanmar from within ASEAN continued, as the issue of Yangon's chairmanship of ASEAN became the subject of parliamentary debates, resolutions or motions, particularly in Malaysia, the Philippines and Thailand. Although respectful of the agenda of the ASEAN Inter-Parliamentary

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Myanmar Caucus, regional governments made clear that they would not move to strip Myanmar of the chairmanship failing its preparedness to fulfil the stated political conditions, as demanded by legislators, and instead continued in their diplomatic efforts to ensure a consensual solution to the chairmanship issue.

Analysing ASEAN's Stance on Myanmar

With even the regional media (*Straits Times* 2003) seeing ASEAN's open rebuke of Myanmar in June 2003 as a manifest break with ASEAN's non-interference principle, developments since then raise the question whether the Association in the case of Myanmar has abandoned or significantly revised ASEAN's diplomatic and security culture or whether it has simply engaged in "enhanced interaction".

A Breach of the Non-Interference Principle?

Although ASEAN countries had clearly been critical of Myanmar's military regime in the aftermath of the Depayin incident, it does not necessarily follow that the Association thereby ignored, let alone thereafter generally abandoned, the principle of non-interference as one of its pillars of intramural conduct. First, with respect to their collective position encapsulated in the 2003 joint ministerial communiqué for instance, several ASEAN foreign ministers had been at pains to argue that contrary to widespread media coverage and public perception, ASEAN governments regarded neither the extensive discussion of political developments in Myanmar at the ASEAN Foreign Ministers' Retreat nor the formal admonition of Yangon in the communiqué as constituting a breach of the principle of non-interference. As Singapore's then Foreign Minister S. Jayakumar (2003) put it:

> I would not view this as an interference in the internal affairs because the principle of non-interference continues to be a principle — not only for ASEAN, I mean it's a principle of international law and is in the United Nations Charter. But what happened here was that ASEAN has developed to a point where we feel comfortable talking about each other's concerns on a matter which might have taken place in one of our countries.

Other ASEAN foreign ministers essentially expressed the same point, while hinting more strongly at how the Communiqué to them nevertheless represented an important development. The Philippines'

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foreign minister, the late Blas Ople, for instance, expressed as follows his sense of the evolving shared understandings about how ASEAN could become involved in the affairs of fellow members irrespective of the continued regard for non-interference:

> Now with the Myanmar precedent, the principle still stands. But no country from here on may claim absolute immunity from collegial scrutiny if certain policies or acts of commission or omission tended to put the whole organization in disrepute or undermine its credibility. (quoted in *Sun Star Network Online* 2003).

Apparently, even Myanmar's Aung Win was satisfied that ASEAN had not broken with its non-interference norm. According to his Singapore colleague, Myanmar's foreign minister had not only found the retreat a congenial locus to transmit the SPDC's point of view, but also been comfortable both with discussing Myanmar and the formulation used in the communiqué (Jayakumar 2003). Even if the term has not often been invoked, it is clear that rather than abandon non-interference, ASEAN's stance toward Myanmar qualifies as "enhanced interaction", given the limited focus but public articulation of its shared concerns. ASEAN's Myanmar diplomacy since then has followed in the same vein.

Significantly, ASEAN's recent diplomatic activity toward Myanmar clearly underscores the argument that ASEAN members continue to respect the principle of non-interference while opting for "enhanced interaction" with Myanmar. For instance, neither the dismissal of Foreign Minister Win Aung in September 2004, nor the subsequent removal in October of Prime Minister General Khin Nyunt for alleged corruption (and the dismantlement of Military Intelligence) prompted an ASEAN response even though the replacement of the "moderate" Gen Khin Nyunt with Lt-Gen Soe Win, who has been considered as masterminding the events at Depayin in May 2003, immediately led to speculation that the military regime could be adopting a tougher line still vis-à-vis the domestic opposition. Indeed, Khin Nyunt's fall from grace probably exacerbated the Association's headache over how to deal with the collective image problems caused by Yangon, not least as it came only weeks in advance of the 10th ASEAN Summit in Vientiane in November 2004. Still, as before, ASEAN has stayed well clear of involving itself in intra-regime politics or other domestic political issues. ASEAN has only been concerned about Myanmar insofar as SPDC policies have threatened regional security or the Association's collective image and interests. Even then, the application of "enhanced interaction" has not been straightforward.

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Limits to "Enhanced Interaction"

There are at least two ways to illustrate the constraints on "enhanced interaction". The first begins by noting that ASEAN's collective response to Myanmar at foreign ministers' level has differed in tone and message from that given at the level of heads of state/government. Indeed, the response vis-à-vis Yangon by the ASEAN foreign ministers, who have in effect formulated ASEAN's shared policy objectives, has been considerably more critical than anything that government leaders expressed at their summits in 2003 and 2004. There are of course good reasons why differences in tone should be expected. In October 2003, for instance, Indonesia and Thailand above all did want to offer encouragement and support to Khin Nyunt, while Jakarta in particular was keen to avoid Myanmar overshadow the Summit's other important achievements (see below). However, such considerations receded into the background at the 2004 Summit. Then, dynamics to do with the strength and nature of the positions held by individual ASEAN leaders curtailed ASEAN's room for manoeuvre. To understand why it would, for example, have been a surprise if the 2004 Summit Statement had referred to Myanmar, it is useful to examine the Summit role played by Thailand's Prime Minister, Thaksin Shinawatra.

Even before he arrived, Thaksin already diverted attention away from the situation in Myanmar when he publicly issued his advance warning to his colleagues that he intended to walk out of the Summit meeting if political problems in Thailand's south — particularly the Tak Bai incident — were raised by fellow members. In the event, rather than presenting his case to all ASEAN heads of government/state at the Summit, which was expected of Myanmar, Thaksin agreed only to informal trilateral talks with his Indonesian and Malaysian counterparts. Thaksin's stance greatly impacted on how ASEAN leaders could address the lack of political progress in Myanmar with Lt-Gen Soe Win. Indeed, even if any members had wanted to reprimand Myanmar in the Chair's statement, the Lao leadership would probably have been rightly accused of a double standard had a passage on developments in southern Thailand not also been included. Yet, to do that would have been politically problematic, if not imprudent for Laos, in view of Thaksin's stern warning and Vientiane's thin-skinned relations with Thailand. Interestingly, following the notion that "less is sometimes more", some of those more critical of Yangon have argued that by not having any mention of Myanmar in the Statement, no harm was done to ASEAN's position in so far as its original 2003 (ministerial) statement was neither superseded nor watered down.

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"Enhanced interaction" has, secondly, been characterized by self-imposed restraint, as illustrated by ASEAN's approach toward Myanmar over the question of the chairmanship of ASEAN in 2006/7. Such restraint is evident in concern about the channels and techniques used in the exercise of "enhanced interaction" as well as the regard for diplomatic courtesy and the general principle of respect. For example, in pursuing the chairmanship question with Myanmar, ASEAN members have to date almost solely relied on a combination of bilateral meetings and regular ASEAN channels (no extraordinary meeting has been called). The actual content of deliberations between Myanmar's representatives and their ASEAN colleagues have largely remained hidden from public view in line with the norm of quiet diplomacy, the public statements notwithstanding. Furthermore, ASEAN governments have all been careful not to publicly call on Myanmar to surrender the chairmanship. Apart from concerns over style, this reflects continuing divisions within the Association about how best to deal with Myanmar, but also the fear of setting a precedent that could come to haunt the membership in future years. Also, other than continuing to engage in constructive collective diplomacy vis-à-vis Myanmar to encourage political reconciliation and democratization, the Association has sought to play neither the role of arbiter nor judge of Myanmar's domestic problems. Finally, expressing respect for the principles of sovereignty and consensus, ASEAN members emphasized repeatedly that they would expect Myanmar to take its own decision on the rotating chairmanship, even if they suggested that this should be in the best interests of the Association. In what perhaps has amounted to the only refinement of instruments, the membership has not expressed too much embarrassment about the challenge to Myanmar as put down by a number of national legislatures linked to the ASEAN Inter-parliamentary Myanmar Caucus, even though the governments concerned have tended to distance themselves from resolutions and motions passed.

In sum, then, ASEAN's response to the Depayin incident as well as its decision to bring up in its intramural diplomacy the issue of Myanmar's chairmanship of ASEAN have both had about it a distinct air of what Surin had called "flexible engagement". Notably, the parameters within which "enhanced interaction" has been practised have been narrower than those originally proposed by Surin in so far as confronting Myanmar has served to avert present and future trouble for the Association *as a whole*. Indeed, unlike when Thailand pushed the idea of "flexible engagement" to transpose what were at the time still widely perceived as bilateral difficulties with Myanmar into an issue for the association, ASEAN's Myanmar diplomacy of "enhanced interaction" since 2003 has proceeded on the shared understanding

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that events in Myanmar did affect ASEAN as a *regional grouping* because they manifestly undermined the association's international image. This understanding was maintained into 2005, as several ASEAN governments have publicly worried that the assumption of the ASEAN Chair could threaten good relations with the Dialogue partners, especially the United States. That ASEAN's stance of "enhanced interaction" should remain compatible with and bear key hallmarks of ASEAN's long-standing diplomatic and security culture should not surprise us; conceptual and political support for "enhanced interaction" amid the reaffirmation of ASEAN's diplomatic and security culture also expresses well the nature of the consensus achieved in relation to the establishment of the ASC.

The Compromise on the ASEAN Security Community

In October 2003, ASEAN leaders signed off on the establishment of an ASC as one of three pillars of the future ASEAN Community. As spelled out in the Declaration of ASEAN Concord II (or Bali Concord II), the ASC is

> envisaged to bring ASEAN's political and security cooperation to a higher plane to ensure that countries in the region live at peace with one another and with the world at large in a just, democratic and harmonious environment (ASEAN 2003c).

This unprecedented reference to "democracy" as a shared political–security objective has been celebrated as something of a potential milestone, not least by those who lobbied for its inclusion into the text. The Declaration of ASEAN Concord II also explicitly recognizes the security of members "as fundamentally linked to one another and bound by geographic location, common vision and objectives". This too goes beyond the traditional acknowledgement of security interdependence flowing from geographical contiguity and suggests that members agree that in future it should be more difficult for members to argue that their intra-state security problems are only for them to address. Crucially, the Declaration moreover stipulates that

> ASEAN shall explore innovative ways to increase its security and establish modalities for the ASEAN Security Community, which include, *inter alia*, the following elements: norms-setting, conflict prevention, approaches to conflict resolution, and post-conflict peace building.

Although left vague, the enumeration of these points has made for an interesting contrast with earlier ASEAN documents. Read in conjunction,

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these provisions could be interpreted as heralding significant movement beyond more traditional understandings of ASEAN's norms and practices. At the very least, the Bali Concord II suggests that member states broadly concur that a range of security issues might in future at different points in time be approached by ASEAN as relevant regional concerns requiring collective attention. The further point made in the Preamble to the ASC, whereby ASEAN shall nurture common values, such as habit of consultation to discuss political issues and the willingness to share information on matters of common concern, reads very much like a repeat endorsement of "enhanced interaction".

On the other hand, it is plausible to argue that the political commitments mentioned in the Bali Concord II are at best weak because they are embedded in a clear normative context. After all, the Concord re-emphasizes and builds on core documents of sub-regional multilateralism, such as the 1971 ZOPFAN Declaration, the 1976 Treaty of Amity and Cooperation (TAC), and the 1976 Declaration of ASEAN Concord. The Preamble identifies the TAC as the "key code of conduct governing relations between states". As the Declaration of ASEAN Concord II further spells out, to achieve the ASC members are meant to

> abide by the UN Charter and other principles of international law and uphold ASEAN's principles of non-interference, consensus-based decision-making, national and regional resilience, respect for national sovereignty, the renunciation of the threat or the use of force, and peaceful settlement of differences and disputes (ASEAN 2003c).

In other words, the establishment of the envisaged ASC is not predicated upon the abandonment but the continued validity of core elements of ASEAN's diplomatic and security culture. By suggesting, on the one hand, that ASEAN would adopt more innovative procedures to deal with contemporary security challenges, while stressing, on the other hand, the continued significance of ASEAN's long-standing normative terrain in this way, ASEAN governments have introduced a measure of ambiguity into the declaration. This is no accident; the Bali Concord II is, after all, a political compromise between those that have favoured the embrace of more robust changes to shared understandings about ASEAN's normative terrain and related institutional practices and those that prefer the more traditional understandings of ASEAN's diplomatic and security culture.

This becomes very clear when one compares the ASC passages in the Bali Concord II with the original ASC draft proposal as formulated by Rizal Sukma (2003) from the Centre of Strategic and International Studies (CSIS) in Jakarta. Sukma's draft, which informed the ASC prepared by Indonesia's Department of Foreign Affairs in significant

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ways, was considerably more explicit in advocating a qualitative and courageous shift in ASEAN's response to security issues. Indeed, these proposals went far beyond "enhanced interaction" that ASEAN has resorted to in its diplomacy vis-à-vis Myanmar. However, ultimately, the compromise version of the Bali Concord II on the ASC does not really do more than provide conceptual support for and general political endorsement of "enhanced interaction".

Repulsing the Core of the ASC Challenge

In his original proposal, Sukma suggested that it was time for ASEAN to build the "security road to peace, stability and prosperity". To him, this entailed establishing an ASEAN Security Community in a "comprehensive sense". By this he meant a community that "seeks the creation of a conducive and cooperative environment within which conflict would not occur in the first place" (Sukma 2003). Even in the case of dispute, an ASEAN Security Community was to "provide a framework within which disputes can be prevented, managed, and resolved peacefully through other means than the military one". In Sukma's view, to become a Security Community, ASEAN would need to strengthen its capability to prevent and resolve conflicts and disorder. This would require changes to principles guiding intramural conduct as well as further institution building. As regards the former, the ASC was to involve "greater and cooperative involvement" of members in transboundary issues (defined as internal issues with "clear regional implications") as well as those with an identifiable human dimension. Moreover, the ASC would require the development of a "mechanism through which ASEAN countries, as an institution", could assist each other in dealing with internal issues with clear regional implications. Similarly, the ASC would require both the adoption of the ASEAN-X formula in decision-making on security issues among ASEAN countries and a move toward conflict resolution. In this context, Sukma advocated giving due attention to state and human security. Beyond proposing the creation of an ASEAN Defence Ministers Meeting, much emphasis was placed on an ASEAN Peacekeeping training centre to enhance ASEAN's capacity for conflict prevention and resolution.[11]

Although Indonesia's Department of Foreign Affairs appeared to have been careful not to over-emphasize human security when re-drafting the ASC proposal for discussion within ASEAN, the majority of Sukma's ideas clearly struck a chord within national policy-making circles. Speaking on the occasion of ASEAN's 36th anniversary in August 2003, Megawati Sukarnoputri (2003) argued that the ASC should be something "in which [the ASEAN countries] share responsibility in

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responding to threats to regional harmony and security as well as to the need in creating a truly regional order". Barely a month later, army chief General Ryamizard Ryacudu expressed support for the idea of joint military exercises "where possible" to take on the challenge of terrorism (Ahmad 2003). To this Foreign Minister Hassan Wirayuda added that ASEAN should be empowered as regards conflict resolution, peacekeeping, and peace building (cited in *Jakarta Post* 2003a). Before the finalization of the draft ASC, spokesperson Marty Natalegawa of the Indonesia's Department of Foreign Affairs enthused that ASEAN leaders were "placing the building blocks for an ASEAN-wide cooperation to combat terrorism and set up mechanisms for conflict prevention and resolution" (quoted in *Jakarta Post* 2003b).

As originally conceived, Indonesia's proposal for an ASEAN Security Community posed a challenge to ASEAN's diplomatic and security culture that was qualitatively distinct from that originally embedded in the idea of pursuing "flexible engagement". This was due to the emphasis given to the prevention and resolution of conflicts and disputes and the suggestion that ASEAN should assume greater responsibility as a provider of security. While emphasizing cooperation and the peaceful settlement of conflict, Indonesia's ideas about conflict prevention and resolution, for example, raised questions about their compatibility with non-interference in those instances in which ASEAN countries would be reluctant to consent to relevant missions. Indonesia's ASC draft also embodied a potential challenge to the norm of quiet diplomacy in managing conflict given the apparent interest in Jakarta in the formalization of dispute settlement within the association. Above all, Indonesia's ideas about ASEAN's empowerment and future role, as expressed, for example, in the notion of establishing a regional peacekeeping force, challenged ASEAN's prevailing diplomatic and security culture; the proposals pointed to ASEAN not only as playing a much larger, perhaps key role, in addressing intra-state conflict and helping to settle long-standing disputes among members, but also moving beyond mere diplomacy. It was at this juncture that the challenge to ASEAN's diplomatic and security culture coincided with a challenge to many members' preferences in relation to the provision of regional security. This challenged was repulsed.

Indeed, the 2003 Declaration of ASEAN Concord II made clear that ASEAN members on the whole were not yet ready for the developments Jakarta proposed. While the Declaration of Bali Concord II did see the ASEAN High Council as "the important component of the ASEAN Security Community", this was perhaps a point of little extra value in view of previous official pronouncements and the failure for almost three decades to invoke this mechanism. More importantly, the

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declaration did not detail the establishment of concrete new mechanisms or capacity building on the lines of the original drafts for the ASC, suggesting that ASEAN members on the whole were at the time not eager to see ASEAN address, as a matter of necessity or urgency, security challenges on an exclusive collective basis, particularly in ways that would go beyond diplomacy. They also sought to dispel any possible misunderstandings on the part of both members and external players about the regional consensus on ASEAN's future role. Consequently, the ASC provisions noted that the association was not a "defence pact, military alliance or a joint foreign policy".[12] Notably, the Declaration of ASEAN Concord II reaffirmed ASEAN's diplomatic and security culture not only because it set out the Association's consensus about what it regarded as limits to refining the preferred normative terrain, but also because it was reluctant about embracing Indonesian ideas whereby ASEAN should advance as a more comprehensive provider of its own security. This was reaffirmed in the ASEAN Security Community Plan of Action, released in November 2004, as well as its annex and the ideas for working toward the realization of the ASC in the period up to 2010 as outlined in the Vientiane Programme of Action. Still, as was the case with the Bali Concord II, these documents also again identify what may be future parameters for "enhanced interaction".

The ASC Plan of Action and the Vientiane Action Plan

The ASC Plan of Action comprises six components: political development, the shaping and sharing of norms, conflict prevention, conflict resolution, post-conflict peace building, and implementing mechanisms (ASEAN 2004c). The Vientiane Action Programme expressly identifies five programme areas for the development of the ASEAN Security Community, i.e. all the aforementioned components except implementing mechanisms. This is not a crucial difference, however. While the ASC Plan of Action and its annex include a non-exhaustive list of ideas that are either already being implemented or to be tackled in the longer term in relation to the five key components, the relevant section of the 2004 Vientiane Action Programme (ASEAN 2004e), which picks up from the 1998 Hanoi Action plan, only outlines those ideas for implementing the ASC that are to be pursued in the next six years.

As was the case with the Bali Concord II, both documents immediately provide evidence for ASEAN's commitment to continue to pursue "enhanced interaction". With respect to the category of political development, which was not specifically listed in the Declaration, ASEAN members (2004c) have, for example, given an unequivocal

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commitment that they "shall not condone unconstitutional and undemocratic changes of government or the use of their territory for any actions undermining peace, security and stability of other ASEAN Member Countries". This sentence amounts to a crucial achievement of those seeking to refine ASEAN's normative terrain. It indicates, first, that ASEAN countries now share the view that they may in future refute the validity of any claim to applying the non-interference norm if made in the context of a particular *political* development, unconstitutional or undemocratic change of government, that until not so long ago have not been all that uncommon in Southeast Asia. While reflecting among other things the present positions of the new leaderships in Jakarta and Kuala Lumpur, the origins of this particular consensus arguably date back several years, and have a lot to do with protecting ASEAN's collective image.[13] Clearly, however, the new consensus may work to the benefit of all existing governments, from the more democratic to the more authoritarian. Second, the above sentence restates the already accepted position that ASEAN has a right to make it its business to discuss particular government policies if these have adverse security implications for other members, i.e. the region.[14] Taken together, these points spell out conditions of future instances of "enhanced interaction". The VAP supports this programme area by detailing the strategies to be pursued in order to achieve further political development.

Notably, the ASC Plan of Action and the VAP also both map out the proposed development of ASEAN's overall normative terrain, which will for instance find expression in the adoption of an ASEAN Charter. The purpose of the ASEAN Charter is *inter alia* to reaffirm ASEAN's goals and principles in inter-state relations, the promotion and protection of human rights, the maintenance of political stability, regional peace and economic progress, and the establishment of an effective and efficient institutional framework for ASEAN (ASEAN 2004 c). References to the protection of human rights notwithstanding, it is clear that the development of ASEAN's overall normative terrain will broadly reaffirm ASEAN's diplomatic and security culture. This follows for example from the emphasis on strengthening the TAC regime. It also follows from what is said in relation to conflict prevention. In this regard, the annex to the ASC Plan of Action emphasizes that ASEAN countries agree to "strengthening cooperation on the state's obligation not to intervene in the affairs of other neighbouring states, including refraining from the use of military, political, economic or other form of coercion aimed against the political independence or territorial integrity of other neighbouring states", and "preventing the use of territory of any ASEAN Member Country as base for any activities against security and stability of neighbouring ASEAN Member Countries", as well as "strengthening

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cooperation to address subversive and insurgency activities aimed at neighbouring ASEAN Member Countries" (ASEAN 2004c). To be sure, ASEAN's consensual view is that members should cooperate more "to address threats and challenges posed by separatism". In relation to conflict resolution, the ASC Plan of Action (2004c) notes that "ASEAN Member Countries shall endeavour to use the existing regional dispute settlement mechanisms and processes in the political and security areas and work towards innovative modalities including arrangements to maintain regional peace and security ... ". There is no evidence to be found in either the ASC Plan of Action, its Annex or the VAP that would suggest that even in the event of ASEAN succeeding in the envisaged capacity building in the form of a regional arrangement, the latter would operate in ways that would not conform to its diplomatic and security culture as spelt out elsewhere in the same documents. The significance of this is that, for the time being, the key refinement of ASEAN's normative terrain will remain "enhanced interaction", which will itself remain limited to diplomatic interaction. This leads to the final section of this article: how can we account for, on the one hand, ASEAN's decision to practise, refine and in some ways formalize "enhanced interaction" and, on the other hand, its reluctance to further adapt its broader normative terrain while developing its institutional capacity and role.

The Limited Development of ASEAN's Diplomatic and Security Culture

At least four factors have informed ASEAN's unprecedented rebuke of Myanmar in June 2003 as well as the subsequent diplomatic initiatives vis-à-vis Yangon: (1) external pressure; (2) a related concern among members about damage to ASEAN's international standing and ties with their dialogue partners; (3) an additional sense of grievance toward Myanmar's military regime, and (4) changes in national identity impacting on foreign policy. The latter is also an important factor in understanding Indonesia's ASC initiative.

The SPDC's decision to place Aung San Suu Kyi under "protective custody" following the Depayin violence generated significant outrage in most Western capitals, not least because this development severely dented their expectations about the prospects for political change, which had been raised after her release from house arrest in 2002. Washington considered the armed clash involving Suu Kyi's convoy and pro-government protesters a "premeditated ambush". The Depayin incident and Suu Kyi's detention immediately triggered direct and indirect pressure on the SPDC.[15] What is of primary interest here is how

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Washington has also put political pressure on ASEAN (and individual members) because of Myanmar. In the immediate aftermath of Depayin, the U.S. State Department threatened to review the utility of the activities of the UN Secretary General's Special Envoy, Razali Ismail. In a warning addressed to ASEAN rather than the SPDC, U.S. Secretary of State Powell (2003) then suggested that he would press the case at the ASEAN Regional Forum. Giving evidence to the U.S. Senate, Lorne Craner, Assistant Secretary for the Bureau of Democracy, Human Rights and Labor, similarly argued that it was time for Asian countries to take responsibility for the actions of the Burmese junta (Craner 2003). As President Bush signed the *Burmese Freedom and Democracy Act of 2003*, he urged ASEAN "to continue to make clear to the regime that its behaviour is inconsistent with ASEAN's standards and goals" (Bush 2003). United States pressure on Myanmar and ASEAN was upheld if not reinforced after Khin Nyunt's announcement of the SPDC road map to democracy, especially in the light of perceived unsatisfactory progress in implementing the latter. Crucially, Washington has threatened to boycott relevant ministerial meetings organized in conjunction with the ASEAN Ministerial Meeting in 2007 if these were held in Yangon and Myanmar did not meet a number of conditions beforehand, including, in effect, palpable efforts toward regime change. In early 2005, the incoming Secretary of State attached to Myanmar the label of "outpost of tyranny". Since several ASEAN states are keen to strengthen relations with all dialogue partners, and perhaps particularly the United States, Washington's political and moral pressure on ASEAN has undoubtedly had an impact on ASEAN's approach toward the SPDC. Countries like Thailand, which have been interested in developing more positive relations with Yangon, have moreover found themselves singled out by the U.S. Congress and open to private reprimands by the U.S. administration.

External pressure on ASEAN in relation to Myanmar has also been brought to bear by the European Union (EU) and the UN. For instance, already in August 2003 UN Special Rapporteur of the Commission of Human Rights for Myanmar, Paulo Sergio Pinheiro, filed a report for the General Assembly in which he argued that "the May 30-related developments have constituted a potentially terminal setback on the political front and, for that matter, for the human rights situation in the country" (UN Human Rights Commission 2003). Even more pressure on ASEAN has consistently come from UN Secretary General Kofi Annan and his Special Envoy, Tan Sri Razali Ismail, who has been prevented from visiting Myanmar for a considerable period of time. To ignore their developments and admonitions has also simply not been an option for ASEAN. This is very clearly illustrated in the references

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to Razali Ismail in ASEAN's ministerial statements. External pressure on ASEAN is also given as the key reason why ASEAN members have appealed to Myanmar to give careful consideration about whether it should assume the ASEAN chair.

Underlying ASEAN's decision to diplomatically take Myanmar to task over Aung San Suu Kyi's continued detention as well as the exclusion of the NLD from the National Convention has also been a concern that ASEAN could suffer another potentially very serious blow to its collective standing and credibility if it failed to respond. This apprehension may be understood against the backdrop of a measure of embarrassment within the association at having allowed Myanmar to continue for so long in its old ways and the knowledge that it was ASEAN that insisted that its method of dealing with Myanmar would be more appropriate and effective than other — more confrontational — approaches. The events at Depayin and thereafter have generally demonstrated to ASEAN leaders that the core leadership of the military regime in Myanmar has an unreformed political outlook. While ASEAN governments accept that they may not enjoy sufficient influence over the SPDC to make any difference to the process of political reconciliation in Myanmar, ASEAN's original members in particular see their proactive efforts to hold the SPDC accountable to their promises as crucial to avoid sullying ASEAN's international reputation.

ASEAN's collective diplomatic response to developments in Myanmar has also been influenced by a real sense of grievance. Some member governments have taken exception to the fact that the Depayin incident and Myanmar's domestic politics more generally have forced the Association to (again) turn its attention away from the economic agenda that they believed demanded immediate attention from the grouping. Others have been distressed to see the events in Myanmar undermine diplomatic efforts of the UN representative, Razali Ismail. Yet other ASEAN governments have been offended at seemingly being repeatedly led by the nose. The SPDC's failure to release Aung San Suu Kyi from protective custody soon after indicating that her confinement would only be temporary, in particular, led to a sense of deep frustration. The pointed ambiguity about her status in October 2003 and her subsequent house arrest have added to strong misgivings. In sum, then, ASEAN governments have experienced and articulated a new quality of irritation following the Depayin incident. This was particularly evident in Kuala Lumpur. Indeed, notwithstanding a possible element of theatre that he could afford — in view of his impending departure from the political stage — Dr Mahathir threatened in July 2003 that Myanmar might ultimately have to be expelled from ASEAN as "a last resort" (BBC 2003; also see Tasker and Lintner 2003). Other ASEAN

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countries disagreed with the statement, later dutifully qualified, but nevertheless shared the sense of grievance that underpinned it. It is also telling that at least in June 2003 even those within ASEAN who would not normally support singling out a member for collective criticism found the overall situation to be such that a statement of ASEAN's expectations and policy vis-à-vis Yangon was appropriate or at least acceptable.

Finally, it is moreover possible to understand ASEAN's resort to "enhanced interaction" against the background of members' increasingly stronger identification with democratic norms. This is particularly the case in the original ASEAN member states and it is hence no surprise that these countries have been the most adamant about opening up as much space as possible within ASEAN's diplomatic and security culture to confront and engage Myanmar. In most cases, identification with democratic norms is in part the result of the beliefs and convictions of a new generation of leaders and officials. But democratization in these societies has also in part reduced the general level of tolerance for political systems that appear to be running against the grain of time. It has also implied that the perceived opinion of the elite and attentive public now matters more than in the past. Equally, democratization has allowed for more opportunities to parliamentarians, policy advisors or the media to critically comment and prod governments on a controversial issue such as foreign policy toward Myanmar. While ASEAN members have been more or less happy to pursue "enhanced interaction", their enthusiasm for Indonesia's original ASC proposal proved more limited.

ASEAN's Reluctance to Embrace the Original ASC Proposal

Upon its launch, Indonesia's venture to make ASEAN a more active and comprehensive, if not robust, provider of security in Southeast Asia attracted great interest among other members, but also considerable bewilderment. The reason was in part that the proposal was deemed ambitious if not partially worrisome in substance. After all, initial ideas included the flexible interpretation of non-interference, the development of a new ASEAN mechanism to deal with internal disputes, an embrace of ASEAN-X, and numerous ideas in relation to conflict prevention, management and resolution. There are at least four reasons why ASEAN countries sought to deal constructively with Indonesia's proposal, while reaffirming even more strongly than Jakarta had done the continued validity of ASEAN's diplomatic and security culture.

First, there was for some an issue of presentation insofar as Indonesia's government seemed to be suggesting, perhaps with East Timor and Myanmar in mind, that the formation of an ASC was necessary

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because the region needed to create a climate that guarantees the security of the region so that no external power could interfere. Indeed, some of the initial official Indonesian statements on the subject linked the development of the ASC with Jakarta's declared unease with "unilateralism". As Indonesia's President Megawati Sukarnoputri (2003) put it,

> ASEAN must act together with the international community to restore the rightful place of multilateralism in relations between and among nations ... At the regional level, ASEAN should strengthen and consolidate its cooperation to enhance its capacity for preventive diplomacy and conflict resolution.

Given such remarks, the impression arose that Jakarta was trying de facto to steam-roll ASEAN into embracing a discourse and agenda that was not of all members' choosing. Some ASEAN countries also found themselves the target of soft invective. As President Megawati (2003) said, "If ASEAN in recent years seems to have been moving rather slowly, it may be because it has been going forward on only one leg — the leg represented by economic cooperation."

Some of Indonesia's regional partners also struggled to find palatable the idea of ASEAN assuming a significantly greater role as a collective provider of regional order and security. After all, building the requisite capacities was regarded as politically and financially challenging. Moreover, some viewed the proposal as difficult to embrace, given the link between the complementary significance of ASEAN's consensus on its diplomatic and security culture and the role of outside powers in upholding regional security. Crucially, while ASEAN's diplomatic and security culture itself provides a pillar of regional stability and order in Southeast Asia, this pillar is in many ways connected, but also subordinated to, bilateral alliances and relationships, and multinational frameworks for security cooperation. Indeed, as some would see it, the usefulness and perhaps success of ASEAN's diplomatic and security culture cannot really be analysed apart from ASEAN's commitment to foreign and security policies that have given external powers a significant role in maintaining a stable regional order in Southeast Asia. In the event, Indonesia's ASC proposal not only challenged ASEAN's diplomatic and security culture, but also the larger order of which the latter have been but a part. It did this especially by dint of the apparent original Indonesian suggestion that ASEAN should henceforth play a more prominent in addressing intra-regional conflicts and disputes. In this light, reaffirming ASEAN's diplomatic and security culture can be interpreted as a defensive reaction against the perceived implications of the initial ASC proposal.

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Third, member states by and large did not fully agree with Indonesia's stated analysis that successful instances of third party mediation in intra-state conflict and the resolution of some bilateral disputes already demonstrated ASEAN's maturity. The reality for most has been that members' appetite to participate actively in preventing or resolving intra-state or bilateral disputes has been significantly lower than Jakarta's, and so has the appetite for seeing other ASEAN countries assume such a role in relation to their own intra-state or inter-state conflicts. Indeed, Myanmar has been very clear about how it seeks to achieve peace and stability. Countries like Cambodia have been equally clear that not all bilateral issues can be resolved on a multilateral basis. Other ASEAN states remain primarily interested in economic security. In view of these fundamentals, the idea of manifestly strengthening the Association's collective capacity to prevent, manage and resolve intra-state and intramural conflict has proved controversial, which in turn has contributed to the broad reaffirmation of the norms and practices associated with ASEAN's diplomatic and security culture.

Resistance to the idea of ASEAN countries taking greater responsibility for the provision of security in Southeast Asia seems also to have fed on the assumption that, as Southeast Asia's largest and most populous country, Indonesia would see such a move as an endorsement of Jakarta's regional leadership aspirations. While other member states appreciate that Jakarta has a long-standing sense of entitlement and is keen to regain lost status both regionally and internationally, the explicit notion of ASEAN assuming guardianship of Southeast Asia, perhaps not surprisingly in some cases, raised subliminal fears about the consequences of Indonesia reestablishing its status of *primus inter pares*. When approached by Jakarta, Thailand for instance gave the idea of establishing the ASC only cautious backing, attaching the proviso that its adoption must be dependent on consensus. As the Declaration of Bali Concord II itself says, the ASC "reflect[s] ASEAN's determination to move forward at a pace *comfortable to all.*"[16]

Conclusion

This article has argued that ASEAN's collective response to the challenge posed to the Association by Myanmar qualifies as "enhanced interaction". It has also argued that the compromise texts relating to the establishment of an ASEAN Security Community include space for the further embrace of "enhanced interaction" as a particular form of the Association's intramural diplomacy. Notably, the practice of "enhanced interaction" has only denoted a limited refinement rather

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than a transformation of ASEAN's normative terrain and institutional practice. This is also true of the ASC project. The refinement has primarily been about delimiting the scope of a justifiable invocation of non-interference rather than its wholesale abandonment in those cases where intra-state issues are accepted as having adverse regional consequences. This is a road that ASEAN has travelled on since 1998, and it is one, as shown, that requires careful navigation around an array of political potholes, given that either its target or other members may limit the occurrence and undermine the thrust of "enhanced interaction".

As this article has also shown, ASEAN's diplomatic and security culture has not only provided the context in which ASEAN has dealt with Myanmar. The associated normative terrain has also again been broadly reaffirmed in developing the ASC project. Neither the practices envisaged nor the capacities to be established under the ASC threaten the continued relevance of ASEAN's diplomatic and security culture in the medium term. This has also been unambiguously illustrated by the region's reaction to Indonesia's proposals to explore new ways of providing for regional security. In short, there is within Southeast Asia a consensus that ASEAN undertake a version of what Surin called "flexible engagement", but nothing yet beyond that.

NOTES

The author is grateful to Douglas Webber, Paul Williams and an anonymous reviewer for helpful comments on earlier versions of this article, which draws on research respectively funded by the Economic and Social Research Council (RES-223-25-0072) and the Committee for South-East Asian Studies, British Academy. Fieldwork for this article was undertaken during the author's affiliation with the Centre for Strategic and International Studies, Jakarta, in March/April 2005.

1 These disagreements in part stemmed from apparent incursions by the Tatmadaw into Thai territory when pursuing ethnic insurgents along the shared border.

2 Dr Surin Pitsuwan had initially called for "constructive intervention"; since the term "intervention" was immediately rejected, he opted for "flexible engagement".

3 By diplomatic and security culture is meant the panoply of shared assumptions and expectations among ASEAN leaderships in relation to the role and conduct of diplomacy as well as about what constitutes security challenges and how best to address them. In the case of ASEAN's diplomatic and security culture, shared expectations about the usefulness of non-interference and quiet diplomacy have been linked to an emphasis on sovereign equality and consensual decision-making. There has also been a general preference that ASEAN should not per se become the institution tasked to mediate or resolve bilateral or multilateral conflict among its members, who have additionally agreed that it is usually wise to demonstrate appropriate respect to one another and opt for tolerance in the face of ambiguous behaviour on the part of member states as regards compliance with ASEAN's norms (Haacke 2003a).

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4 Apart from the substance of the proposal, some members felt that the word "engagement" was no longer adequate if the issue at stake was how ASEAN members deal with one another rather than with those outside the Association.
5 This argument is developed in Haacke (2003b). For a somewhat different argument, see Katsumata (2004). For other relevant theoretical appraisals, see Acharya (2004) and Narine (2004); also see Ganesan (2004) and Hund (2002).
6 As the paper will show, ASEAN's practice of "enhanced interaction" has increasingly come to resemble the seemingly proposed application of "flexible engagement", particularly as regards the understanding that "enhanced interaction" is now something that not only takes the form of bilateral contacts, but is also part of the collective exercise of ASEAN's intramural diplomacy. Perhaps the remaining crucial difference between flexible engagement, as initially proposed against the backdrop of Thailand's bilateral problems with Myanmar, and "enhanced interaction", as practised, is that it is clear that ASEAN only collectively exercises "enhanced interaction" if the issue has *accepted* regional implications.
7 Also see Khin Maung Win (2003) and Taylor (2004).
8 Participants included Myanmar, Thailand, China, Japan, India, Australia, Singapore, Indonesia, Italy, Germany, France and Austria. UN Special Envoy Razali Ismail also participated.
9 These included the release of Aung San Suu Kyi and U Tin Oo and the re-opening of NLD offices (National League for Democracy 2004).
10 For a review of the retreat, see Conde (2005).
11 Also proposed were an ASEAN Maritime Surveillance Centre and an ASEAN Centre for Combating Terrorism, not least given that terrorism constituted the principal transnational threat. Indonesia has moreover promoted UN-ASEAN cooperation in the areas of conflict prevention and resolution, and peace-building (ASEAN 2004a).
12 Sukma's draft already explicitly contained the clarification that ASEAN was not a military alliance or defence pact.
13 The older ASEAN countries found situations such as that in Cambodia in mid-1997 negatively affected the image of the wider region.
14 The wording is not for "another ASEAN member" but "other ASEAN members".
15 In the event, by July both the U.S. House of Representatives and the Senate passed, with an overwhelming majority, the Burmese Freedom and Democracy Act of 2003. This legislation required the U.S. President to ban imports from Burma within 30 days of enactment until such a time when the President would determine and certify to Congress that Myanmar had achieved both "substantial and measurable progress" to end violations of internationally recognized human rights and democratic government.
16 Author's emphasis.

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Contemporary Southeast Asia 27, no. 2 (2005): 217–35 ISSN 0219-797X

Political Reforms in the Philippines: Challenges Ahead

SAMUEL C K YU

While Filipinos reclaimed their political rights after the downfall of Marcos in February 1986, scholars began wondering about the outcome of political reforms in the archipelago. This article argues that although the Philippines has moved from an authoritarian regime to an electoral democracy, liberal democracy has not yet matured in the country. The key reason is that there are challenges ahead in the ongoing process of political transition in the archipelago, including the threat of military coups and secessionist movements, slow economic growth, and the need to evolve a sustainable democratic culture.

Introduction

Since mid-1986 the Philippines has embarked on a series of political reforms, which started with a revised Constitution. Corazon Aquino, then president of the Philippines, organized a committee to draft a new Constitution, which was ratified by over three-quarters (78 per cent) of the voters in a referendum in February 1987. The Philippines then conducted three presidential elections in 1992, 1998, and 2004 based on the new Constitution. Thus, while the Philippines had been ruled by the authoritarian Ferdinand Marcos for more than twenty years from 1965 to 1986, the polity seems to have transformed into a democratic one.

Is the Philippines already a liberal democracy, or just an electoral democracy? What political reforms are being implemented? How will

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leaders in the archipelago restructure the political dominance of powerful factions in the country? Is a Western liberal democracy really the political goal? Given the potential threat of the military to the legitimate government, can the Philippines achieve democratic consolidation in the future? In addition, the Philippines achieved modest economic growth in the early 1990s, but the Asian financial crisis hit the country badly: without strong economic development, can the Philippines continue to move towards liberal democracy? As the first civil democracy in Southeast Asia after the end of WWII and the first country to implement political reforms since the mid-1980s, can the Philippines also become the first consolidated liberal democracy in the region? These are the questions explored in this article.

While Filipinos reclaimed their liberties in the People Power revolution in February 1986,[1] some scholars and observers have begun questioning the success of political reforms in the archipelago, particularly because of the sustained rebellion on Mindanao Island and potential military threats to the ruling government, such as the one-day abortive coup on 27 July 2003. This paper argues that, while the nature of the regime has changed, democracy has not yet matured in the archipelago.

The first four sections of this paper will focus on the political reform programmes in the Philippines, demonstrating their progress. This will be followed by an analysis on the broad challenges to further political reforms in the Philippines in another three sections: the fifth section examines the major challenge for political reform in the Philippines, i.e. the issue of the nature of the regime, and analyse whether the country is an electoral democracy or a liberal democracy; the sixth section will explore the second challenge, i.e. the relationship between political reforms and economic growth in the archipelago; and the final challenge will be examined in the seventh section of the paper, exploring the variable of timing. The conclusion of the paper is that the road to a liberal democracy in the Philippines is not an easy one; Filipinos need more time to establish a consolidated liberal democracy.

Bolstering Political Participation

Rule by an elite few was a common political phenomenon in the Philippines. Big landlords and rich families have ruled for decades, while the military remains powerful and influential even after the downfall of former president Marcos. These dominant groups are not only politically powerful because of their positions in both the

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government and the legislature from the central to the local level; they are also economically dominant because they own and run most of the businesses and corporations in the country. These groups of people have intertwined political bases and economic interests, which explains why they have been able to rule the Philippines for years.

An even more fundamental reason for this political phenomenon is that political participation was a privilege for the weathy, leaving the masses outside the circle of the policy-making process. It was only the rich families who were able to establish their own patron-client relationships, a network to develop their political connections in the government and gain advantages and privileges in running their businesses and corporations (Lande 1965; Staufer 1975; Hawes 1987; Kerkvliet 1974) As a result, those who were in power would continue to garner both political and economic clout, whereas those who were powerless would continue to be ruled. This situation originated under Spanish colonialism, had been sustained since the independence of the Philippines from America, and worsened during the Marcos regime.

Things have changed in the Philippines, however, since the new constitution was enacted in February 1987. The first significant change was the bolstering of political participation. Two approaches were introduced. First, the elimination of appointed officials in the central and local governments. A certain portion of officials at both the central and local levels were appointed by the president during the Marcos era, a procedure that became a channel for Marcos to establish his own political network.[2] Using these patron-client relationships, Marcos was able to extend his political control and economic dominance throughout most parts of the Philippines.[3] Since the 1986 reforms, however, the Philippines, with increasing numbers of elected government officials, passed the Local Government Code (LGC) in 1991, which authorizes — due to a greater allocation of internal revenue collections to local governments — civil organizations to participate in the policy-making process at different levels of local governance. As a result, some progressive and reform-minded local politicians have entered politics through direct elections, challenging the old political factions (Kawanaka 2002).

The other provision of the constitutional amendments was the elimination of appointed legislators in the legislative body. During the Marcos regime, Congress and the legislative bodies of local governments were dissolved in the mid-1970s, and later were reassembled and controlled by Marcos and his associates.[4] In other words, legislative bodies lost their autonomy during the Marcos period. With the implementation of the new Constitution, things have changed, however,

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mainly because Filipinos now enjoy political rights and the freedom to elect the legislators they desire. More importantly, the new Constitution even limits the terms of legislators to no more than three consecutive terms, an ideal design for reducing the prolonged control of the rich families and big landlords. In the current 13th Congress (July 2004 to June 2007), for example, 83 out of 236 House Representatives, or 35 per cent, are serving in their positions in Congress for the first time, while only 39 Representatives (16.6 per cent) are in their third and last term, in Congress.[5]

It is not yet certain what the long-term effects of the constitutional amendments on Philippine politics will be, but, obviously, this mechanism will gradually strengthen Filipinos' political participation in future, reducing the dominance of the elite. Although some politicians still ask their relatives (e.g. wives, sons, or daughters) to replace them when they retire, there are now more opportunities to get new blood.[6]

Regulating the Terms of Elected Executives and Legislators

A major negative phenomenon in most Third World countries is that political leaders often keep their posts for an indefinite period in contrast to those in the industrialized countries. The Philippines is just one of these cases. Ferdinand Marcos was president from 1965 to 1986, far beyond the maximum of eight years (two terms) stipulated by the previous Constitution. Although Marcos gained political legitimacy by declaring martial law in September 1972, he was accused of misusing his political power for personal gain (Timberman 1991, pp. 73–164.)

The new Constitution in the Philippines has regulated the terms of elected executives and legislators. First of all, the 1987 Constitution allows the president to serve for only one term of six years. Corazon Aquino followed the Constitution by serving in the presidency from 1986 to 1992, as did Fidel Ramos from 1992 to 1998. Although Joseph Estrada did not finish his term of six years, Gloria Macapagal-Arroyo succeeded to the presidency in January 2001. To restrict the president to only one term is rare anywhere — even in Western democratic countries like the United States, the president is allowed to serve a maximum of two consecutive terms.

The other important amendment in the 1987 Constitution regulates the term of office for elected officials in local governments. Local officials, except heads of *barangays* (villages), are not allowed to occupy the same posts for more than three consecutive terms of three years. This regulation is not unusual for other democracies, but it is imperative for the Philippines where local administrative leaders had been appointed by the central government for years.

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Since then, the turnover of local government heads has followed the rules in the Constitution. In effect, political participation has expanded because of the new rules of the game, as analysed in the last section of the paper.

In addition, the 1987 Constitution also imposed regulations on the legislators, which stipulate that senators can serve a maximum of only two consecutive terms and House members can serve no more than three consecutive terms.[7] While most democratic countries allow members of parliament to serve for unlimited terms, the Philippines is possibly the only country that limits the terms of congressmen. Also, since 1992 the terms of senate president (leader of the majority group) and president pro tempore seem to have been unofficially shortened to less than two years (a result of a compromise within a politically divided and deadlocked senate), as compared to the three-year term of these two positions before the political reforms. Accordingly, there are at least two senators who served as senate president for one term (three years) of Congress. In the ninth Congress of the Philippines (from 1992 to 1995), for instance, Neptali A. Gonzales and Edgardo J. Angara served in the post of senate president from January 1992 to January 1993 and from January 1993 to August 1995, respectively. Gonzales and Maceda served as senate president in the tenth Congress (from July 1995 to June 1998).[8] In the eleventh Philippine Congress (from July 1998 to June 2001), there were even four senators serving as senate president, i.e. Marcelo B. Fernan (from July 1998 to July 1999), Blas F. Ople (from July 1999 to April 2000), Franklin M. Drilon (April to November 2000) and Aquilino Q. Pimentel, Jr. (from November 2000 to July 2001).[9]

These changes show, in addition to the changes of ruling parties, that there is no likelihood that a single political patron in the Philippines will dominate the whole structure. Marcos manipulated and misused the constitution to maintain his dictatorship, but then the Filipinos, under the leadership of Corazon Aquino, revised the Constitution to initiate political reforms in the Philippines. Since 1987, the Philippines has proved to the world that it can bring about regular turnovers of elected legislators. Although it is a bit early to fully assess the impact of these new regulations, it is apparent that the political factions of the powerful few in the Philippines will find it difficult to control the legislature in the years ahead.

Restructuring Political Dominance: The Decline of Old Factions

With the above two reforms, the Philippines has also gradually restructured political dominance since the fall of Marcos. Marcos and

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his associates once dominated the country's politics, the economy and society by way of the Kilusang Bagong Lipunan (KBL, or New Society Movement) and a network of patron-client relationships. However, the power of the old factions has gradually declined, and new political forces are emerging.

First, new political parties were allowed to be established under the Aquino presidency. The Philippines had a stable and competitive two-party system in the 1950s and 1960s until Marcos destroyed it in the early 1970s. Several new political parties have been created since 1986, however, because of the new presidents. The Philippines is unique in that it is the president who creates and restructures political parties, and not vice versa (Velasco 1999). For example, Lakas-NUCD (Lakas ng Tao — National Union of Christian Democrats), established in 1992 by a number of congressmen supporting Fidel Ramos' presidential election, is now the largest political party. By April 1997, 134 out of 250 members (roughly 53.6 per cent) in the House and 58 out of 76 governors in the Philippines were affiliated with Lakas-NUCD (Velasco 1999, p. 179). In 1997, Senators Edgardo Angara and Orlando Mercado created the Laban ng Makabayang Masang Pilipino (LAMMP), a coalition of three parties.[10] But after the 1998 presidential election, then president Joseph Estrada expanded the LAMMP, the new ruling coalition, recruiting several members from Lakas-NUCD and other parties.

After Estrada's downfall, LAMMP greatly declined and political parties in the Philippines were restructured again under the leadership of Gloria Macapagal-Arroyo. By April 2003, the Lakas Coalition remained the largest party, but its members took only 84 out of 223 seats (38 per cent) in the House, while the National People's Coalition took 55 seats (25 per cent), the Leban ng Demokratikong Pilipino (LDP) 22 seats (10 per cent) and the Liberal Party 21 seats (9 per cent).[11] The rise and the fall of political parties in the Philippines closely follow the presidential elections, and, more importantly, there has been no major dominant party in the archipelago since 1987. As expected, political parties in the Philippines reorganized again during and after the May 2004 presidential election. In the current 13th Congress (from July 2004 to June 2007), for example, President Arroyo's coalition holds 186 out of 236 seats in the House.[12]

Furthermore, there is no longer a single dominant force in the Philippines, although a few rich families still remain influential in politics. In the past, rule by a strong man was the destiny of Filipinos, but now Filipinos have more rights and opportunities to get involved in public affairs. Joseph Estrada was an example. Estrada was from an ordinary family but later became first the vice president (1992–1998)

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and then the president of the Philippines (1998–2001) through general elections, mainly supported by people from the middle and lower classes.

In the May 2004 presidential election, the opposition candidate Fernando Poe Jr.), a former film actor and a complete newcomer to politics, posed a grave threat to incumbent president Gloria Macapagal-Arroyo in the beginning of the campaign. Although Poe lost the election (obtaining 36.5 per cent of the popular vote), he successfully mobilized support from Filipinos at the grassroots, including people in the rural areas as well as some big family clans such as the Cojuangco family, the Estrada family, the Enrile family, the Maceda family, and the Pimentel family. Macapagal-Arroyo's victory (winning 40 per cent of the popular vote) also demonstrated that she was not only supported by her own patron-client network, but also by a broad coalition of major forces, including the People Power Party-Christian-Muslim Democrats (Lakas-CMD, Nationalist People's Coalition (NPC), Liberal Party (LP), and Nationalist Party (NP) (Ferrer 2004, pp. 16–17).

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More Guarantees for the Rights of Individuals

The protection of human rights has been regarded as the most fundamental value of democracy. Human rights representing an aggregation of a set of individual freedoms and rights, which include freedoms of expression and religion, equality before the law, protection from unlawful acts by the state (e.g. arbitrary imprisonment or forced labour), etc., and political rights (freedoms of assembly, association, and press, etc.), are especially important, mainly because the degree of civil and political rights that people enjoy reflects the differences in the polities where they reside.[13] In Western democratic countries such as the United States and Britain, human rights are clearly stated and well protected either in the constitution like that of the United States or common law like that of Britain. Conversely, people may not have the opportunity to enjoy the full extent of human rights in a non-democratic polity.

Prior to the implementation of political reforms in the Philippines, the nation could not be termed democratic, simply because ordinary Filipinos did not enjoy the entire body of political rights and freedoms although these rights were more or less written in the constitution. Very often, the ruling government used coercion to either damage or infringe upon the individual rights of its citizens. Ferdinand Marcos, for example, abolished all existing political parties, but allowed himself the right to establish the KBL. He also dissolved the Congress, and its functions were taken over by citizen assemblies.[14]

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However, the new Constitution has expanded the content of the articles on human rights and, importantly, set up legal mechanisms to protect them. Human rights had hitherto been politically manipulated by the leaders, but now these individual rights are clearly stated and protected by the Constitution.

Elsewhere in Southeast Asia, Thailand and Indonesia have also revised their constitutions in the 1990s, but the Philippines is the first of the three that began to introduce and expand the content of human rights articles in the constitution. The 1987 Constitution of the Philippines strengthened and augmented the content of the articles in its Bill of Rights (Article III), which contains 22 Sections. Each Section of Article III stipulates the rights of Filipinos, and, most importantly, the 22 Sections of Article III have generally fulfilled the requirements of human rights for a modern democracy. For example, Section 3 to Section 9 of Article III in the 1987 Constitution clearly state several individual freedoms and rights, including freedom of speech, the press, communication, and the right to form associations and unions. In addition, the Commission on Human Rights was created in the Philippines (Section 17, Article XIII), which is empowered to, among other things, "investigate, on its own or on complaint by any party, all forms of human rights violations involving civil and political rights" (Section 18, Article XIII).

Although the Philippines certainly has not achieved the international standards of human rights because of occasional unlawful actions and violations,[15] it is apparent that the archipelago has improved its record. According to one Filipino political analyst, the Commission on Human Rights (CHR), for instance, "has moved successfully to investigate many reports and actual cases since its inception" (Gonzalez III 2001, p. 280).

Transition: Electoral Democracy or Liberal Democracy?

This article has so far focused on the progress of political reforms implemented in the Philippines since 1987. The immediate question is what are the results of these political changes? Has the Philippines become a liberal democracy already? Most scholars would argue that it has not. Then, what kind of polity is the Philippines? Clearly, the Philippines is still in the process of political transition. Given the above programmes of political reform, can the Philippines successfully make the transition from authoritarianism to electoral democracy and then to liberal democracy?

Larry Diamond has argued that an electoral democracy has trappings such as multiple political parties regularly competing for power through

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free and fair elections, but it lacks the components of a liberal democracy, such as extensive protection for individual and group rights, inclusive pluralism in civil society, civilian control over the military, accountability of officeholders, and an independent, impartial judiciary (Diamond 1996). Based on this definition, the Philippines can be regarded as an electoral democracy, mainly because it only fits the institutional requirements for electoral democracy, such as having a multi-party system, and holding relatively free and fair elections in the last decade.

The Philippines has not attained liberal democracy, however, because of several factors. The most serious threat and barrier to political transition in the Philippines is a military that is not controlled by civilians. During the Aquino presidency from 1986 to 1992, there were five unsuccessful coups. Although these coups did not threaten Aquino's presidency, democratic transition in the Philippines was affected. There were no coups during the Ramos presidency from 1992 to 1998, which made Filipinos optimistic about their democratic transformation. Unfortunately, the abortive military coup in July 2003 has once again revealed that the military is still a threat to legitimate government, especially for a popularly elected leader without military connections like Macapagal-Arroyo, as it was for Aquino. Even though Macapagal-Arroyo has been president since January 2001, she is still not able to control the military.[16]

The other problem for the Philippines is that politics is still dominated by the few. People Power I restored a certain degree of democracy in the Philippines, but big and rich families are still politically influential, as shown in the coalitions in the May 2004 presidential election. A pluralistic society with mass participation in the archipelago is still a dream for the majority of Filipinos, with many Filipinos unsatisfied with the way democracy manifests itself in the Philippines. A study by Social Weather Stations (SWS) shows that Filipinos' satisfaction with democracy plummeted to 42 per cent in early 2000 as compared to 70 per cent in the early part of the Estrada presidency in mid-1998.[17] Another survey conducted by the Center for Leadership, Citizenship and Democracy of the National College of Public Administration and Governance, has also revealed similar results. It is significant that 72 per cent of the responses in the same survey (Abueva 2002, pp. 1–4) agree that there is "the possibility that Filipinos will completely lose faith in peaceful means of promoting democracy", although a great majority of the 72 per cent also agree with the statement "Democracy is the best political system in all circumstances".

Why are Filipinos not satisfied with the way democracy is now exercised in the Philippines? Jose Abueva (ibid., pp. 1–4) provided his

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own answer: "Low economic growth, ineffective governance, political instability, unabated corruption, and rapid population growth have prevented us from achieving the degree of national progress of neighboring Singapore, Malaysia, Thailand, Taiwan, South Korea, and China". Given the problems, some politicians are pessimistic about the future.[18] Clearly, political reforms in the Philippines so far have not been successful; political transition is still ongoing. The question that arises is: How long does the Philippines need to bring about a full political transformation from the current state of electoral democracy to a consolidated liberal democracy?

Political Reforms and Economic Growth

Has the pace and effectiveness of political reforms also had something to do with economic development in the archipelago during the last decade? Given the low economic growth rates in the 1990s, can the Philippines sustain its democratization? This is another challenge for the archipelago.

Many Western scholars have long argued that democracy has a positive effect on economic growth, a claim that is the foundation of the so-called "compatibility school" of thought (Lipse, Seong and Torres 1993; Marks and Diamond 1992; Moore 1995; Feng 1997). This argument is generally supported by the fact that countries in Western Europe and North America have achieved both liberal democracy and economic development for decades. However, what is true in the West may not apply to the rest of the world. The "conflict school", mainly supported by Latin American scholars, argues that democracy hinders economic growth, particularly in the less developed countries. Because of the failure of democracy in bringing about economic growth in Latin America (Cohen 1994), the "conflict school" even contends that a centralized strong government with autocratic control is needed for economic growth (Huntington 1987). However, there is also a "sceptical" perspective on this issue, which maintains that there is no systematic relationship between democracy and economic development (McKinlay and Cohan 1975). The key point of this school is that institutional structures and development strategies are crucial for economic growth, rather than democracy. This means economic growth can be achieved in both a democratic country and an authoritarian regime, as long as their institutional structures are stable and development strategies appropriate.

In order to examine the relationship between these two variables, we are going to use two indicators, i.e. the annual economic growth

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rate and GNP per capita, to examine the economic performance of the Philippines during the 1980s and 1990s. The main reason for this is that these two indicators represent the wealth of the state (economic growth rate) and that of individuals (GNP per capita), respectively. As the economic growth rate remains high annually, this means the entire country is getting stronger and wealthier. Similarly, as people's GNP per capita expands continually, this means citizens are becoming better off.

Table 1 shows that the Philippines' economy was in extremely bad shape during the Marcos' dictatorship, only slightly above zero in the first half of the 1980s. Yet, the Philippines' economy slowly improved since the implementation of political reforms in 1986 after Corazon Aquino took over. Economic growth rates averaged at 2.3 per cent from 1990 to 1995. In the years 1996 and 1997, the Philippines even achieved economic growth rates of 5.85 per cent and 5.19 per cent respectively, upgrading the level of GNP per capita for Filipinos at the same time, as shown in Table 1. Actually, the GNP per capita of Filipinos also kept increasing since the implementation of political reforms till the outbreak of the Asian financial crisis. Although the economy of the Philippines was badly hit in 1998, the country, starting from 1999, began to recover, with growth rates at 3.41 per cent in 1999, 4.38 per cent in 2000, and 4.5 per cent in 2001. It should be noted that GDP per capita, due to the depreciation of the Philippine peso, fell a little after the financial crisis from US$1,018 in 1999 to US$980 in 2000 and to US$924 in 2001. In 2002 and 2003, the Philippine economy remained relatively unchanged.

Given the economic performance of the last decade, it is still a bit early to judge the overall relationship between economic growth and political reforms in the Philippines. Although Table 1 shows the difference in economic performance before and after the implementation of political reforms, it would be hazardous to judge that democratic reforms helped economic development. Looking at the cases of Taiwan and South Korea, we find that the economic achievements of these two countries in the 1970s and 1980s were brought about under authoritarian rule, rather than democracy. Both countries have implemented economic reforms since the late 1980s and their development remains promising. Although the Asian financial crisis affected both countries in 1998, their economies showed stable growth afterwards. This implies that economic development is not fully dependent upon the nature of the polity; it has to do with something else, i.e. basic economic infrastructure.

Unlike Taiwan and South Korea, the Philippines does not have a stable and advanced economic infrastructure. This is a crucial point in understanding the archipelago's future economic development,

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TABLE 1
Economic Performance in the Philippines

The Philippines	*1983–90*	*1990–95*	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*
Economic growth rate (per cent)	1.0	2.3	5.85	5.19	–0.59	3.41	4.38	4.52	3.12	4.70
GNP per capita (US$)	515 (1986)	752 (1993)	1,184	1,157	896	1,018	980	924	959	973

SOURCES:
1. The figures for 1983–90 are from *Asian Development Bank Annual Report* (Manila: Asian Development Bank, various years).
2. Figures for 1990–95 are from *Asia Yearbook 1998* (Hong Kong: Far Eastern Economic Review, 1998).
3. Figures for 1996–2003 are from http://www.aseansec.org/macroeconomic/aq_gdp21.htm, accessed 20 October 2004.

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which is certainly a big challenge for Filipino leaders. While the "compatibility school" may be interested to watch the connection between politics and economic development in the archipelago, Filipinos may not be satisfied with a democracy that does not generate stable economic growth.

Examining Consolidated Democracy

Scholars like Timothy J. Power and Mark J. Gasiorowski argue that a consolidated democracy requires the accomplishment of two nationwide elections for the highest executive position and the maintenance of stability for at least twelve years (Power and Gasiorowski 1997). Samuel P. Huntington also proposed a "two-turnover test" as a key indicator of a consolidated democracy (Huntington 1991, pp. 266–67). The Philippines has had more than two nationwide presidential elections (the highest executive) and a two-turnover test as well — then why is it not yet a consolidated liberal democracy?

By defining three elements for a consolidated democracy, Juan J. Linz and Alfred Stepan have provided a theoretical framework that is able to explain the case of the Philippines. According to Linz and Stepan, a consolidated democracy includes the following three elements:

> (1) *Behaviorally, no significant political or institutional actors attempt to achieve the goal of creating a non-democratic regime or turning to violence to secede from the state. (2) Attitudinally, a majority of public opinion holds the belief that democratic procedures and institutions are the most appropriated means of governing collective life in a society. (3) Constitutionally, all political forces become subjected to and habituated to the resolution of conflict within the specific laws, procedures, and institutions sanctioned by the new democratic process* (Linz and Stepan, 1996, pp. 5–6).

First of all, the behavioural element indicates that all parties involved maintain a lawful position and orderly manner in politics. Even if electoral discrepancies occur, all actors involved should deal with these problems through peaceful means; anything unlawful and unconstitutional is strictly forbidden. In the Philippines, previous elections were marked by demonstrations, cheating, killings, corruption and violence, indicating uncertainty and instability. The violence and chaos in the 1986 presidential election, mainly fuelled by the people's mistrust of the Marcos regime, is just one example. The situation has improved a little since 1987, but political transition in the Philippines is still not stable. The handover from Estrada to Macapagal-

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Arroyo in January 2001 is another example. Although Macapagal-Arroyo was constitutionally sworn in as the 14th President of the Philippines on 20 January 2001 by Chief Justice Hilario Davide Jr. after the Supreme Court unanimously declared the position of president vacant, Estrada did not officially resign from the presidential post. So-called People Power actually played a key role behind the political transitions in both February 1986 and January 2001. The positive side of the two People Power revolutions is that they did not cause death and injury, but, strictly speaking, People Power revolution per se is neither peaceful nor constitutional.

In addition, the Philippine government has been troubled for years by the secessionist movements in southern Mindanao, an Islamic area in the predominantly Catholic nation. The local Moro people do not trust the electoral process implemented by decision-makers in Manila. Various groups in the Philippines occasionally initiate armed conflicts, killings, hostage-taking, and torture, including during elections. During the last fifteen years, nationwide elections were generally peaceful in northern and central areas of the archipelago, but not in the south. Philippine leaders should show the world their will and capacity to conduct more peaceful elections in all parts of the archipelago before the country can become a consolidated liberal democracy.

Second, the Constitution requires that major strategic groups and elites strictly abide by the procedures of the constitution and related legislation in holding nationwide elections and handling political transitions. Even if there are discrepancies over the elections or shifts in power, ruling elites and opposition leaders should accept constitutional management and obey the results according to a set of constitutional procedures. This is not the case in the Philippines, unfortunately. During the last fifteen years, the archipelago has successfully experienced three turnovers of ruling parties, but legitimate governments keep being threatened by military coups. In addition, the Philippines has been troubled by other unconstitutional armed forces for years, including the New People's Army (NPA), the Moro National Liberation Front (MNLF), the Moro Islamic Liberation Front (MILF), and the Abu Sayyaf Group.

Although the Philippine government has undergone a series of negotiations with these armed groups, they still exist, continuing their unconstitutional fight against the Philippine government. Ironically, these illegal armed forces are actually not powerful, but the Armed Forces of the Philippines (AFP) are not able to pacify them. In other words, the Philippines is able to exercise electoral democracy, but the Philippines does not qualify as a liberal democracy as illegal armed

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forces exist. Should the Philippines accomplish more constitutional and peaceful nationwide elections in a row without any unconstitutional measures taken to challenge the legitimate government, the archipelago will then have the chance of becoming a liberal and consolidated democracy.

Finally, a liberal democracy requires both institutional mechanisms and commonly acknowledged norms for civil society to follow, and it takes time to nurture this kind of democratic culture. The Philippines has carried out three presidential elections and three senatorial elections in the last fifteen years, but the coups and armed rebellions damaged legitimate governments and ongoing political reforms. However, successive Philippine governments have also failed to maintain the institutionalized mechanisms that should have been followed by all major groups.

This criterion also implies that holding constitutional and peaceful nationwide elections two or three times is not good enough to establish a popularly acknowledged culture of democracy. A transitional nation needs to successfully accomplish more nationwide elections before being termed a liberal democracy, and, most importantly, there should be no gaps between consecutive elections. It also means that the ruling government should be able to maintain constitutional mechanisms and order in society during elections. Should there be a coup, severe outbreaks of violence, or unconstitutional means of securing power prior to reaching the goal of a liberal democracy, a transitional nation like the Philippines, according to this definition, will have to start from scratch in an assessment of its progress towards liberal democracy.

Conclusion

This article has traced political reforms in the Philippines during the last two decades. With the implementation of a new Constitution in 1987, leaders of the Philippines have been legitimized and authorized to implement political democratization. Previously, the Philippines was designated variously as either an authoritarian or a constitutional dictatorship. Now, with the practice of full civil rights and the implementation of direct elections for all public posts, this predominantly Catholic nation has transformed into an electoral democracy. While most scholars have confirmed political development in the Philippines, they have also reached the consensus that democratic consolidation has not been achieved in the archipelago.

By exploring the three elements of a consolidated democracy according to Linz and Stepan, I argue that the Philippines is still in

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transition. It is apparent that accomplishing two nationwide elections does not make a consolidated democracy. A nation in transition like the Philippines needs to prove to the world its ability to accomplish more consistently constitutional and peaceful nationwide elections before being termed a consolidated democracy.

The relationship between democracy and economic development also continues to be a challenge for the Philippines. Although the arguments of the "compatibility school" seem to apply to the case of the Philippines, it is a bit early to judge the role democratic reforms played in the economic performance in the 1990s. What is certain is that the Philippines experienced a dramatic economic decline during the Marcos dictatorship, at a time when most other Southeast Asian economies grew. The economic infrastructure in the Philippines is still weak, a factor which may hinder the archipelago's economic development in the years ahead. Should Filipinos not enjoy economic growth in the coming years, democracy in the Philippines could still be fragile. Unlike Western countries, where democracy and economic development coexist, the Philippines certainly needs more time to prove the relationship between the two variables.

The outbreak of the Asian financial crisis shows the interconnectedness of the economies in Southeast Asia with each other as well as with the global community. Democracy is just one of the variables connected with economic development. While the Philippines continues to move towards a liberal democracy, appropriate economic policies will also prove significant in furthering the nation's economic development in the foreseeable future.

NOTES

1 On 15 February 1986, the Electoral Commission of the Philippines announced the victory of Ferdinand Marcos in the presidential election, but the Catholic Bishops' Conference of the Philippines, led by Archbishop Cardinal Sin, also issued a letter in a press conference at the same time, indicating electoral fraud and cheating. As a result, tens of thousands of Filipinos took to the streets to protest against Marcos and made him step down. This is the so-called People Power revolution.

2 In March 1976, Marcos forced 40 popularly elected governors to resign, and then appointed his cronies to these posts.

3 After the sugar and coconut industries were monopolized by president Marcos, these two industries became a base for him to extend political and economic influence in the country (Hawes 1987, chaps. 2, 3.)

4 In April 1978, Filipinos went to the polls to vote on a government-designed referendum to elect legislators in the Congress. The result was that the New Society Movement created by Marcos won 152 seats while the opposition party won 13 seats, and the remaining 35 seats were filled by Marcos appointees.

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5 http://www.congress.gov.ph/members/profile.php, accessed 1 December 2004.

6 Some politicians like Senator Francis N. Pangilinan and Congresswoman Janette L. Garin share this point of view. (Interviews with Senator Pangilinan and Congresswoman Garin, 12 January 2005).

7 Senators serve six years per term, and House members serve three years per term. As in the United States, elections are held for half of the Philippine Senators every three years.

8 Neptali A. Gonzales was Senate President from August 1995 to October 1996 and from January 1998 to June 1998, while Ernesto M. Maceda's presidency of Senate was from October 1996 to January 1998.

9 There was one seat vacated by Senator Gloria Macapagal-Arroyo, who was elected Vice-President in May 1998.

10 These three parties are the Laban ng Demokratikong Pilipino (LDP), the Nationalist People's Coalition (NPC), and the Partido ng Masang Pilipino (PMP, Party of the Filipino Masses).

11 The rest of the seats in the House were distributed as follows: 19 seats for minority parties, 12 seats for party list representatives, and 10 seats for independent representatives, http://www.congress.gov.ph/members/index, accessed 9 April 2004.

12 http://www.congress.gov.ph/members/profile.php, accessed 1 December 2004.

13 Some scholars even take a broader perspective, based on citizenship, to interpret human rights. For instance, Stephen Castles and Alastair Davidson contend that citizenship, regardless of ethnicity, and origin should confer civil, political, social, gender, and cultural rights (Castles and Davidson 2000, pp. 84–128).

14 In December 1972, Marcos created citizen assemblies by an executive order to take over the legislative functions of Congress. More than 45,000 citizen assemblies were established during the Marcos era (Lapitan 1975, pp. 417–20).

15 According to a recent report by Amnesty International, for example, the Philippines is reported to still have "arbitrary arrests, torture, extrajudicial executions and disappearances" in the context of military counter-insurgency operations, and armed political groups were responsible for grave abuses, including killings, torture and hostage-taking". RLINK "http://web.amnesty.org/web/ar2002.nsf/asa/philippines!Open, 5 October 2003.

16 Some politicians even contend that they would not be surprised if another military coup occurs. (Interview with former Congressman Didagen Piang Dilangalen on 14 January 2005.)

17 For details, see "Snapshots", *SWS Survey* 2, no. 5 (July 2001).

18 Interviews with Senators Edgardo J. Angara and Aquilino Q. Pimentel on 12 January 2005.

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Contemporary Southeast Asia 27, no. 2 (2005): 236–54 ISSN 0219-797X

Authority and Law Enforcement: Local Government Reforms and Security Systems in Indonesia

STEIN KRISTIANSEN AND LAMBANG TRIJONO

This article assesses the impact of decentralization and deregulation reforms in Indonesia on security and law enforcement. The research draws on qualitative and quantitative data from interviews, focus group discussions and household surveys in four selected districts. The main conclusions are that local security bodies are being developed without control by the central government or local level democratic bodies. There is a total lack of transparency and accountability in security affairs and much power is concentrated in the hands of the district heads, the bupati. *Policy recommendations include increased central government control over policing, security organizations and law enforcement.*

Introduction

Since 2001, Indonesia has undergone wide-ranging decentralization. Political power and administrative responsibility have been transferred from the central government to the district level. District authorities now have the political mandate to issue decrees and regulations and full responsibility for the public management of sectors such as education, health care, public works, culture and the environment. The devolution process follows the economic crisis which began in 1997, the fall of the authoritarian regime of president Suharto in 1998, and the implementation of free and democratic elections in 1999.

There is a long tradition of people and groups taking the law into their own hands in Indonesia. However, there has been an increase in

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horizontal violence after the change of political leadership and structures in 1998/99. Theft and destruction of private property has become common and large numbers of ordinary people in many parts of the country have been threatened or suffered from physical violence or been tortured and even executed by their peers. Nationwide, several hundred people have been killed every year by angry mobs in incidents of street vigilantism (*Kompas,* 25 September 2001). Much of the horizontal violence observed over the last few years is related to the economic crisis and unemployment, combined with the weakening of central state institutions, including the police. Lasting problems of horizontal violence are also often associated with ethnicity, as in Solo, Mataram and Medan, and religion, as in the Moluccas and Central Sulawesi. The police force has not been decentralized. After being separated from the military in 1999, the national police has been administratively placed directly under the authority of the president, with some responsibilities still delegated to the provincial governors. The decentralization laws and regulations do not delineate specific roles for the police and security matters at the district level. This means that the delegation of huge responsibilities to the districts is not formally backed up by law enforcement power. Instead, we see an alarming development of local security forces and paramilitary groups controlled by district authorities. These security forces can hardly be interpreted as anything but an instrument to create legitimacy by force, instead of by popular support or democratic procedure, for local government policies.

The main objective of this article is to trace the impact of decentralization reforms on law enforcement and security systems at the district level. Four administrative regions which have different experiences in security problems and organizing paramilitary groups were selected for study. Two questions are raised: have decentralization reforms strengthened the tendencies to escalating disorder and crime rates in Indonesian society? What are the impacts of formally separating law-making and -enforcing systems in the decentralization reforms? The methodology used is mostly qualitative, based on in-depth interviews and focus group discussions. In addition, we raised questions regarding security problems and systems in a survey that included more than 500 households in the four districts.

This article is organized as follows: the introduction is followed by an overview of the history of criminality, law enforcement and security systems in Indonesia. The introduction of the new decentralization laws and their implementation since 2001 are then discussed. Methodology and research areas are presented in section four and our

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empirical findings are discussed in section five. A conclusion and policy recommendations are given at the end of the article.

Historical Overview

Informally organized security systems have long existed in Indonesia. It was not until 1900 that reasonably standardized police forces appeared within the Dutch colony. Till then, most of the non-European quarters of the colony's cities and towns were "policed" by volunteer neighbourhood watches, known as *ronda*, who routinely treated suspected thieves, burglars, and other undesirables with vigilante violence (Anderson 2001, p. 10). Other terms used for local security groups are *hansip*, *linmas*, and *satgas*, with some differences in their associations, mandates and functions. Some are related to the military, while others are controlled by the police or government bureaucracy. *Hansip*, previously under the Ministry of Home Affairs, have been dissolved in most regions, and former members now join district paramilitary troops, political parties' *satgas*, or private security groups.

The Indonesian police force developed rapidly after independence in 1949 and when it was reorganized as a national institution in the late 1950s, it was probably the world's largest police force. The emergence of authoritarian governments in the 1960s shifted the orientation of the police from maintaining law and order into internal security affairs and the protection of government interests, in close collaboration with the military. Formal authority over the police changed in 1967 from the president to the minister of defence when the national police (POLRI, Polisi Republik Indonesia) formally became a part of the armed forces and subject to military law. A paramilitary arm of the police (Brimob, Brigade Mobil Polri), which was especially equipped and trained for crowd and riot control, was strengthened and many national police leaders were recruited from that division. By 1998, the image of the police was probably at its lowest ebb in Indonesia's history (ICG 2001). The police were separated from the military again in 1999 and thereby lost much of its intelligence capability and restraining power.

Local security systems on the other hand have not lost their role and credibility. Rather, with a weakening police institution, their scale and scope of operations have increased. Siegel (1986) found that the neighbourhood sense of "community" is actually expressed through a shared concern with security more than through ties of kinship or shared economic interests. There are also traditions of self-justice (*main hakim sendiri*) or lynch law at the level of gangs or communities, as documented by Barker (2001). In the absence of recognized legal and

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other classifications, the distinction between youth militias and roving gangs has been difficult to draw. This was also true historically, as has been pointed out by Stoler (1988) in her study of the *lasykar* militias in North Sumatra during the freedom struggle in 1945–49 and Cribb (1991) in similar studies in the Jakarta area. There are still many examples of rivalry between the police, the military, groups of criminals, and territorial security groups, and subsequently, parallel systems of jurisdiction and law enforcement.

Increasingly in the early 1980s, many security groups were also active in the "security business", such as bodyguard rentals and debt collection. One phenomenon of the 1980s also improved gang organization and their "supra-local realm" (Barker 2001, p. 24). The toughs, or *preman*, were integrated elements in the comprehensive systems of violence and corruption under the Suharto regime. *Preman* are dominated by young males, mostly organized in groups (*preman pemuda*), and engaged in activities with elements of criminality. There were often close connections to government institutions, such as the government party, Golkar, in the case of Pemuda Pancasila, and to the Minister of Youth Affairs in the case of KNPI, Komite Nasional Pemuda Indonesia. A wave of violent crime actually peaked in the early 1980s, following economic recession and liberalization policies from 1982/83. The economic downturn created problems of mass poverty and unemployment, and reduced government subsidies sparked social protest and violence. Ordinary people increasingly complained that criminality was out of control. The New Order regime was not oblivious to the growing social anxieties about crime at that time (Kusumah 1988). Thousands of *preman* were liquidated during the period of Petrus, an organized campaign for killing criminals that started in earnest in Yogyakarta in 1983. The objective was "cleansing the criminal cancer" (Bourchier 1990, p. 185). Petrus (*pembunuhan misterius,* "mysterious killings") was characterized by paramilitary operatives with close bonds to the military, the police, and even directly to the president (van der Kroef 1985; Pemberton 1999). Petrus indicated a watershed, according to Barker (2001, p. 51), as "it marked the point at which territorial power became deterritorialized from the figure of the *jawara* (criminal groups) and reterretorialized within the state and its fraternities".

Following Petrus, the government's policy was to limit the economic and territorial bases for the gangs and informal security groups. Street-level *preman* increasingly were controlled and protected by state officials through a system known as *bekking* ("backing"). Rival criminal gang structures linked political and business elites through the police and the military to the still existing *preman*. Sometimes these gangs mutated

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into private armies or militias linked to political and business leaders. The *bekking* system gave the *preman* state protection while also forcing them to pay their own dues. Having extracted their rents from business people and other citizens, they in turn paid rents to government representatives, usually members of the military or police, in return for the right to operate (Lindsey 2001). The national militant youth organization Pemuda Pancasila clearly played a central role in the *bekking* system, in close cooperation with the military (Ryter 2001). Also in the 1980s, the government reformed the traditional *ronda* system to become more efficient and falling under the supervision and control of the national police.

The new police-controlled *ronda* system, called *siskamling* (sistem keamananan linkungan, neighbourhood security system), reduced the influence of lower level regional authorities that formerly profited from the commercial security and protection rackets. Even though the local security guards continued to be based on a *gotong royong* (mutual assistance) principle and were not paid by the police, the new organization of local and regional security represented a weakening of local mafia-like institutions and a strengthening of state control and the monopolization of violence. *Siskamling* normally operated in collaboration with forces under *Hansip* (civil defence units), which were established in 1962 under the Ministry of Home Affairs. Nationwide it probably comprises five million volunteer members and is partly subdivided into *Wanra* (people's defence, under the military), *Kamra* (people's security, under the police), and *Linmas* (community protection, under the local government). A more recent term used for paramilitary security forces in some places in Indonesia, especially on the island of Lombok, is *pam swakarsa* (pesukan keamanan swakarsa, self-security).

One characteristic of this multifaceted system of security groups is the continuous inability of the judicial system to exercise the legitimate force associated with a modern state. Though the national police have sole responsibility for submitting cases for formal judicial prosecution, there are many other means of sanctions. Duplicating the criminal justice system allows groups and organizations to collect money and to extract payments from and control entry into legitimate business enterprises. Threats of violence may be the basis for profit-oriented activities for local elites and are sometimes legitimized by local government institutions. The preconditions may be present for security groups developing into mafia-like institutions, as we saw in the case of the large *pam swakarsa* groups in Lombok around 2000 (Kristiansen 2003; ICG 2003). Such institutions generally develop in conditions

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where there is weak legitimate government power, excessive bureaucratic power, and the financial potential of shady markets (Anderson 1994).

A history of excessive bureaucratic power certainly provides the basis for extensive use of bribery, threats and extortion in Indonesian society. The recent weakening of the national police and strengthening of the power of local elites may undermine the ability of the Indonesian state to exercise its legitimate monopoly on enforcing order and curbing violence. The challenge today is to find alternatives to the previous authoritarian state terror and at the same time avoid dismantling authority and coherence due to the development of uncoordinated and armed security groups combined with the development of excluding and conflicting ethnic, religious or local identities.

Decentralization in Indonesia

The deep economic crisis in Indonesia since 1997, illustrated by a 14 per cent contraction of the GDP in 1998, overturned the foundations of political power in Indonesian society. While central governments in poor countries are typically resisting the decentralizing of authority to local levels (Rondinelli and Cheema 1984), the authoritarian and centralized New Order regime lost its bargaining power against outspoken students and resilient local elites. The students fought for democracy and regional leaders contested for autonomy. Both prevailed, substantially supported by powerful international donors, who wanted to see "good governance" in politics and state affairs as well as in private business. In line with the key policy prescriptions of the Washington Consensus, the International Monetary Fund offered a rescue package, which was conditional on the implementation of market deregulation and privatization, including in the supply of public services. The World Bank strongly advocated democracy, decentralization and privatization, due to its expected contribution to creating "good governance" and reduced government expenditures. Democratic elections were introduced in 1999 and decentralization followed in 2001.

The new decentralization policy was put into practice from January 2001. One main provision of Law 22/1999 on regional government is the abolition of the former clear-cut hierarchical relationship between the central government, provinces and districts. Another is that regional heads at both provincial and district levels are elected by regional legislative bodies and held accountable to these, rather than to higher levels of government. The districts (*kabupaten/kotamadya*), which represented the third level in the previous five-tier administrative

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system, now became responsible for the implementation and daily operations of activities in education, health, culture, public works, and the environment, among others. A major provision of Law 25/1999 is to also delegate the *financial responsibility* of the above sectors to the district level. The allocation of funds from central government sources decreased, while increasingly, local government expenses are based on tax revenues from natural resources and business activities.

There are now four sources of funding for the governments at the district level. One is natural resource and tax revenue sharing from the central government. Between 15 per cent and 80 per cent of natural resource revenues are distributed to the local governments that have the authority to decide its allocation without reporting to the central government. A second is the central government general allocation fund (DAU, Dana Alokasi Umum), which is designed to partially equalize the fiscal capacity among districts. Local governments decide the distribution, without reporting to the central government. A third is the central government special allocation fund (DAK, Dana Alokasi Khusus), which is earmarked for specific purposes. The last is local government income from its own sources, for instance local taxes and levies (PAD, Pendapatan Asli Daerah).

Increasingly, local governments need to develop and create their own sources of funding. Saving costs and increasing incomes are also major objectives behind devolution and the decentralization reforms in Indonesia. A large number of local regulations, *perda (peraturan daerah)*, have been issued by the local governments to legitimize the collection of local taxes and levies, for instance on transport, water, licences, and various forms of businesses. Often, there is a need to put some force behind the *perda* and that is the formal reason for strengthening the local police units, Satpol PP (*Satuan Polisi Pamong Praja*, civil service police unit) in most districts in 2001 and 2002. These institutions were formally established as small, local police units by the Minister of Home Affairs in 1990 but have a longer history as security guards earmarked for the district and province administrations. Their recent expansion is based on district government bylaws and formally approved by a central government regulation (no. 8) in 2003. Their mandate and size, however, are not clearly defined.

In Indonesia, as elsewhere, decentralization was accepted as a reaction to inefficient and corrupt central government bureaucrats and was regarded as integral to democratization. Many politicians remain convinced that decentralization is needed to save money and ensure better delivery of public services. However, some argue that reform is necessary to curb tendencies to national disintegration after decades of authoritarian centralization of powers (EIU 2000), while others regard

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regional autonomy as a threat to national integration and a move away from good governance and justice among social classes and between geographical areas (Indrawati 2002).

Governance, in its broadest definition, refers to "the sum of the many ways individuals and institutions, public and private, manage their common affairs" (Weiss 2000, p. 796), and it includes administrative, political, and economic dimensions of power relations and authority structures (UNDP 1997). "Good governance", according to leading donor institutions, should be facilitated through the establishment of its "four pillars": accountability, transparency, predictability, and public participation. The four pillars should be constructed by decentralizing political decisions and administrative responsibilities and by making public services subject to market exposure. It is not clear whether security and policing services ought to be privatized. Some argue that they should (for example, Pastor 2003). According to the World Bank, decentralization can generally reduce decision-making bottlenecks, increase government efficiency and responsiveness to local needs, enhance the accountability of public institutions, improve service delivery, and allow greater political representation and participation of diverse groups in decision-making (World Bank 2003).

The donor-induced decentralization policy gains some support from social scientists. From a political science perspective, decentralization is commonly regarded as fundamental to the development of democracy. It normally functions as a means for increased interest in political matters and results in enhanced participation by ordinary citizens. From an administrative science point of view, bringing bureaucrats closer to the people whom they serve should ideally increase their efficiency and the chances for popular monitoring and control (Breton 1996). One widely-held perspective suggests that centralized decisions are standardized and less tailored to local needs, while policy-makers and bureaucrats acting close to a smaller group of citizens will have better information on the needs and wishes of the citizens, resulting in higher welfare (Oates 1990). Theories and empirical findings on associations between decentralization and governance qualities are highly ambiguous, however (Treisman 2000). Policies clearly need to be sector- and context-specific. Security affairs also differ in many ways from other public services, and specific socioeconomic conditions may have been overlooked in the eagerness to make devolution and deregulation reforms in Indonesia. Among the 440 *kabupaten*, administrative capacity, local political dynamics, and security and conflict conditions are so diverse that one policy reform can hardly be fit for all.

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If the main political concerns are personal rather than community-based, and if extensive information asymmetry exists as a moral hazard in society (Bappenas 1999), there is a high risk that decentralizing political power and administrative responsibility may *increase* corruption and reduce the quality of public services, including security. As stated by one of the original architects behind the decentralization reforms in Indonesia, "local parliaments are places where 'black' money is circulating without any legal instrument available to stop it" and public trust in regional governments accordingly is on a downturn (Rasyid 2003, p. 66). Today, the central state does not have a mandate to audit the local governments, and district authorities are not obliged to report accounts to the central government. "Decentralisation has minimised the vertical accountability mechanisms" (Brodjonegoro 2003, p. 294). Vertical reporting is substituted by the new principles of "horizontal accountability", but "disclosure of the local budget is rather limited" and the role of the legislature seems to be weak in relation to the executive bodies at the local level (ibid., p. 295). The upcoming section on empirical findings will discuss these issues in relation to local security systems.

Methodology and Study Areas

The number of administrative districts in Indonesia has increased after the decentralization reforms. From the current number of 440 in 32 provinces, we selected four for our study. The national average population of a district is 500,000. Each district is further divided into an average of 10 sub-districts, which are further administratively divided into villages and sub-villages. The total number of villages in Indonesia is approximately 70,000 with an average population slightly above 3,000.

Income per capita is more than 50 times higher in the richest districts, with earnings from oil and gas resources for instance, compared to the poorest, and differences are also huge in terms of population, geographical settings, and social and cultural conditions. Our selection aims to cover a variety of income per capita, levels of urbanization, and centrality within the national context. In three of the four districts (Bantul, Mataram and Kutai Kartanegara) we conducted focus group discussions that included representatives from the legislative and executive bodies of government, the police, Satpol PP and other security groups, and members of non-governmental organizations (NGOs). Within these districts, we selected one sub-district for data collection also in the form of a household survey. In the selection of

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sub-districts, we used the criterion of typicality for each district. At the village level, three study areas were purposely selected within each sub-district, which are at various distances from the centres of public service supply within each sub-district. In Ngada, due to the lower population density, three sub-districts were included in the sampling frame for the household survey and the sub-districts here thus replacing the villages in the three other districts.

Within the selected villages (*desa*) we made a random sampling of households for distributing questionnaires by drawing numbers from a list of all sub-villages (*dusun*) within the *desa*. Households to be included in the survey were randomly selected based on an area-wide sampling within the selected 4–6 sub-villages, for instance every tenth household in systematic order to cover the whole geographical area of the selected sub-villages. The final sampling should comprise a minimum of 120 household respondents within the selected villages in each district. The total number of household respondents is 538. Data was collected between July 2003 and March 2004. In the following, we briefly present the four study areas.

Kabupaten Bantul is located in the province of Yogyakarta, centrally located in Java. It is a middle-income district and partly urbanized, close to the city of Yogyakarta with its 100 institutions of higher learning. The population of Bantul is 765,000, divided among 17 sub-districts and 75 villages, with a population density of 1,530 per sq km. Income is mainly from agriculture but increasing numbers commute to the neighbouring city on a daily basis for trading or employment in the service sector there. Within Bantul, the sub-district of Imogiri, comprising 57,600 people in eight villages, was selected for conducting the household survey and for more specific focus group discussions and in-depth interviews. The survey was made in the villages of Karang Talun, Girirejo and Selopamioro.

Kota Mataram is the capital city in the province of Nusa Tenggara Barat (NTB). It is a middle-income district, located on the island of Lombok, at the border between Indonesia's "inner" (Java and Bali) and "outer" islands. The population is 315,000 (5,163 per sq km). The economy is dominated by the service sector, related to governance, trade, transport and tourism. Kota Mataram consists of three sub-districts, of which Cakranegara with 105,000 people was selected for conducting the household survey. The survey was made in the neighbourhoods (*kelurahan*) of Cakrabarat, Bertais and Sayang Sayang.

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Kabupaten Kutai Kartanegara is located in the province of Kalimantan Timur, peripherally located within the national context. It is among the wealthiest districts in Indonesia, because of incomes

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from oil and gas extraction as well as timber. The district is predominantly rural, comprising 460,000 people in 18 sub-districts and 197 villages. The population density is 17 per sq km. Migrants from Java and Bali represent a large share of the population. The district has a high number of private and government companies operating in the oil industry, mining, and logging. The sparsely populated inner parts of the district have limited accessibility, based on transport on the Mahakam river, and we selected a relatively centrally located and more densely populated sub-district, Tenggarong Seberang, for the survey. The sub-district's population is around 45,000. The 120 questionnaires were distributed in the villages of Manunggal Jaya, Kertabuana, and Suka Maju.

Kabupaten Ngada is located on the island of Flores in the province of Nusa Tenggara Timur (NTT), which is known to be among the poorest provinces in Indonesia. The district is predominantly rural and remote from major centres of higher education and information. The total district population is 235,000, with a population density of 77 per sq km. The three areas (sub-districts) selected for the household survey are Riung, Soa, and Aimere, comprising a population of 54,000. The survey was conducted in the villages of Latung, Lengkosambi, Rawangkalo, Denatana, Nginamanu, Waepana, Mengeruda, Kaligejo, Werupele and Inerie.

Our data may have limited reliability on some issues. Respondents may not have been willing to tell the full truth in focus group discussions and in-depth interviews, and individual household representatives have probably assessed the value of revealing information to the enumerators, though guaranteed full anonymity. Household interviews were conducted in the houses of the respondents. Also questions related to health and education services were included in the questionnaire. Very few refused to be questioned. The interviews took around 30 minutes. Each interview was initiated in the same manner, introducing the researchers and their institutions and the purpose of the study. Representatives from the government were in no cases present during the data collection.

Discussion of Findings

In our survey comprising 538 households in the four districts, 13 per cent of respondents report that security is a major problem in their neighbourhoods. The problem appears significantly less important in Ngada than in the three other areas. The more extensive security problems in Bantul, Mataram and Kutai Kartanegara may be explained by their

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higher levels of ethnic diversity and commercial business activities, and also by relatively weaker state police control in these districts.

Various forms of *ronda* and *siskamling* dominate the local security systems at local levels. Their mandate is strictly limited to night-time monitoring of specific neighbourhoods. Most people contribute to these, either in terms of their time or money. Only 4 per cent report that the police had a major security responsibility in their neighbourhood but 17 per cent found that the police were important for security at the village level. Eight per cent of the respondents report that they have paid "irregular fees" for security services. This share is somewhat higher in Kutai Kartanegara, 11 per cent.

One-third of respondents say that the security situation has improved over the last three years while 64 per cent find that the situation is the same. Special conditions existed in Mataram, where 76 per cent of the respondents report on improvements in security since 2001.

Around 86 per cent of the respondents found that the police are operating seriously and efficiently, while 80 per cent report that they are fair and just in their operations. The relatively low percentage (20 per cent) who found the police to be unfair and discriminatory can be interpreted in two ways. Either most people do not have any experience of dealing with the police and therefore no reason to judge them as unfair, or, the negative impression of the police may have been exaggerated in recent political discussions.

In the following, we go behind the aggregate data and look into transcripts from focus group discussions and in-depth interviews to trace selected people's perceptions and interpretations of recent changes in security problems and systems in three of the districts, Bantul, Kutai Kartanegara and Mataram. Generally, two major issues crystallized in our interviews and discussions. One is related to problems of increasing crime and disorder in society. The other concerns the new challenges to enforce bylaws and regulations issued by local governments. Dissatisfaction with the role of the national police was expressed on both issues. In all three districts, local police units, Satpol PP, were built up under the authority of the district head, the *bupati*, since 2001.

In Bantul, people complained about extensive crime, especially related to *molimo* — burglary, gambling, prostitution, and alcohol and drug abuse. This is normally characterized as *pekat*, a social disease. For instance, a local security group has identified 5,000 prostitutes working in the district. From 2000, local newspapers started complaining about escalating violence and "inter-village wars" in the region. A main reason was found to be a power vacuum following major political

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events and associated problems of youth gangs and political parties' youth wings fighting each other for influence and revenge (Kristiansen 2003). The district is dominated by Javanese and potential conflicts are also related to ethnicity and religion. The Chinese are not formally allowed to own property in Bantul, and, according to a police officer in a focus group discussion, "after the Iraq war, Polres [the state police] also has to guard foreigners and their industries".

In Mataram, we saw a dramatic increase of criminal cases registered at civil courts in 1997 and 1998. Thefts and aggravated burglary were nightly events in many areas of the city. As a combined consequence of increasing criminality and the political changes at national level, *pam swakarsa* groups were established from 1998. The groups were based on the old security systems of *ronda* and *siskamling* but grew in scale and scope to become supra-territorial paramilitary forces and well-organized systems of *premanism*. Since 1999, large numbers of people were killed and injured in clashes between *pam swakarsa* groups and villages. Long-standing antipathies between the local Sasak population and minority ethnic groups with stronger economic influence (that is, the Javanese, Balinese, Mbojo, and Chinese) contributed to escalating security problems. Also in Kutai Kartanegara, Dayak paramilitary groups (*Laskar Dayak*) are being developed to promote ethnic interests. As expressed by a local newspaper journalist, the indigenous people "feel insecure — there are too many non-natives here".

In a focus group discussion in Bantul, a leading police officer listed his reasons for why security problems had increased in this district recently. Representatives from the police or other security forces in the other districts expressed similar views:

- In the era of reformation, the community considered democracy as the freedom to do everything.
- The development of technology confused people and disturbed traditional codes of conduct.
- Lack of capacity and competence in the police corps (e.g. "dirty cops").
- Separation of the police from the military.
- The community is not well aware of human rights, "... so if they caught a thief then they didn't care about preserving his rights".

In Bantul, police representatives also complain about the difficulty of upholding peace and order in a district of 75 villages with a small police corps and limited funds. As expressed by a district administration officer in a focus group discussion, "they only have 1,200 people with so little lunch money". This is one reason why the Satpol PP units have been expanded to comprise "hundreds of members in each sub-district",

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funded by the *bupati*, and "trained to help the police", as expressed in the same forum. According to the head of Satpol PP in Mataram, his force comprises 100 full-time employees plus a high number of honorary members and "more than 2,000 informants at various levels and sectors", operating 24 hours a day and communicating by cellular phones or walkie-talkies. In Kutai Kartanegara, the head of Satpol PP informed us that his corps comprises 300 full-time personnel and also includes 60 civil servants and 240 honorary employees. "We have firearms, and we have a special unit (*dalmas*) for controlling the masses. ... So we hold shooting exercises twice a week".

A declared objective of the development of the Satpol PP units is to operate closer to the people and to gain more respect from ordinary citizens than the police do. As expressed by a representative from the police in a focus group discussion: "People don't trust the police". The argument was supported by a non-police discussant, who said that "the police are unaccountable". However, the Satpol PP forces are hardly more respected for their behaviour and honesty. Their heads are mostly former police officers, while ordinary members have limited training. "Training should be for three months, but 15 days seem to be enough", according to one Satpol PP chief. The local parliament vice chairman in Bantul admitted that "Satpol PP becomes stronger, with executive arrogance, while they are mentally not ready". In Mataram, the view was expressed by representatives from the police that "many times we feel that Satpol PP walks on their own".

The head of Satpol PP in Kutai Kartanegara declared that "many police are arrogant, including me. We are educated as military men (60 per cent) and only 40 per cent for police technical issues ... In many events, my men are in conflict with civil society and also with the police. ... We are always ready all the time, ready to fight". Sometimes there is "anarchic action by the labourers". Relations with the military are said to be very good, however, and also with the American business interests in the district. In Mataram, leading government representatives admit that the Satpol PP mainly "help the mayor" and "Satpol PP is also very protective of the local government, so that when demonstrations happen without permission from Satpol PP, they are rapidly disbanded". Representatives from NGOs are sceptical about this recent development: "The worst is the big ego of the local government after the regional autonomy — and the power of the Satpol PP, which is stronger than that of the police".

Security is a business in Indonesia, and institutions and paramilitary groups often compete in profitable areas. The thousands of prostitutes in Bantul represent one example of a market that can be

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capitalized. In a focus group discussion, a political party *satgas* ("task force") officer said that "we can imagine the funds circulating there, if one transaction is 50,000 rupiah, multiplied by this number — even if we fined them only 10,000 rupiah each". In Mataram, Satpol PP often sweep the same market segments of prostitutes and "masseurs", who according to many reports are in conflict with the police. The police should coordinate various security groups, but they are so poorly funded that they hardly have money for meals. The district Satpol PP, on the other hand, can earn income for themselves as well as contribute to raising revenue for the local governments that they have been set up to serve.

The newly expanded Satpol PP institutions are thus important instruments to implement the new local regulations, *perda*, and the demands for increased local government income (PAD). In Bantul, such incomes have increased from 6 to 22 billion rupiah (US$2.4 million) annually, for instance from transport licences. An officer explained in a focus group discussion that "we in Satpol PP often cooperate with other departments to collect retributions and taxes from merchants, traders and transport operators". People in our focus group discussions tended to regard the abundant new *perda* as initiatives from the executive bodies of the district authorities, while they also needed approval from the legislative bodies. According to the head of Satpol PP in Mataram, the main objective of this institution, apart from maintaining security, is to enforce the new *perda*.

The Satpol PP institutions are characterized by a total lack of transparency. The vice-chairman of the district parliament (DPRD) in Bantul admitted that the budgets and accounts are hidden from the parliament: "About the budget, I don't know". According to him, this represents "a constitutional problem: if the DPRD gives money to the executive, they don't have to report on it". This is interpreted as "a vertical authority problem: we feel bad to ask them to discuss it". In Mataram, the head of Bappeda (district planning agency) announced that the Satpol PP budget there was 1.5 billion rupiah in 2003, but no real accounts were available to the DPRD or the public. In Kutai Kartanegara, the head of Satpol PP said that "when there are specific needs for funding, money is there ... we get [it] directly from the *bupati*".

Conclusion

The central government in Indonesia has initiated dramatic decentralization and privatization reforms to reduce its own powers

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and surrender authority to district authorities and private actors. The main objectives are to decrease central government spending on public service delivery and to increase the responsibility and duties of lower levels of government, private companies and even households. Decentralization on this scale implies an "unavoidable learning process" and "at least a decade-long transitional process", according to one of the architects of the reforms (Rasyid 2003, p. 71). Our research has revealed some consequences of the decentralization and deregulation policies on security issues and law enforcement. Two major issues emerge in our interviews and discussions. One is related to the problem of increasing crime and disorder in society. The other concerns the new challenges of enforcing bylaws and regulations issued by local governments and the development of local policing units.

Crime and disorder seem to have decreased again recently, after an upsurge early in the post-Suharto period. In our survey, people in all districts clearly express the opinion that the security situation has not worsened after the decentralization reforms and regional autonomy. Actually, 64 per cent find that the situation is the same as three years ago and one-third of respondents say that security has improved after the reforms. Still, focus group discussions and in-depth interviews convey the unambiguous message that crime and social disorder increased after the economic crisis and political reforms since 1997 and that stern action is still needed to curb tendencies to escalating violence and "social diseases". Today, 13 per cent of the respondents in our household survey report that security is a major problem in their area. Only 4 per cent report that the national police have a major security responsibility in their neighbourhoods, while the traditional guarding systems of *ronda* and *siskamling* prevail. However, the confined mandate and traditional roles of neighbourhood watch groups limit the scale and scope of these organizations.

The strengthened local executive bodies have argued strongly for more powerful law enforcement mechanisms at the district level. Increasing crime and social disorder and the claimed weak role of the national police are used as arguments for building up local police units. Likewise, arguments are put forth that the numerous new local laws and regulations and escalating need to develop local revenue increase the need for local law enforcement mechanisms. Consequently, the Satpol PP units have been rapidly expanding under the authority of the *bupati*. These are paramilitary groups of several hundred men in each district. Indeed, thousands of people can be involved in Satpol PP activities as honorary members and informants. They are in many cases furnished with firearms, but lack education and training in handling

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these, and ordinary citizens often feel that they are arrogant and threatening. Their mandate is ambiguous and their funding and rules of operation lack transparency. They certainly contribute to strengthening the power of the district administration, especially the *bupati*, and may be used for security improvement and law enforcement. Alarmingly, they seem to be growing stronger, and they seem to be out of reach of democratic control. They could well be used for private business interests, repression, and devious political ends.

There are long and dark traditions of indistinct and rival policing and criminal justice systems in Indonesia. The further devolution of the authority of police functions to civilian auxiliaries and private security organizations should be a matter of real concern. The trend to continuously and increasingly allow untrained and unaccountable local civilian groups to provide protection, fight crime and implement laws should be reversed, as also concluded in other studies (ICG 2003). This should not imply a general recentralization but rather a strengthening of decentralization law and regulations. Power distribution and regulation between various actors needs to become clearer, power holders who use violence must be held accountable to the public, and the whole system of enforcement at the local level must become transparent.

A declared objective of the development of the Satpol PP units is to operate closer to the people and to gain more respect from ordinary citizens than the state police. However, our research reveals that people are afraid of the Satpol PP and its non-transparent systems of surveillance and repression. Meanwhile, as many as 86 per cent of the respondents in our survey found that the national police are operating seriously and efficiently and 80 per cent report that the police are fair and just in their undertakings. Potential should be there for further developing the responsibilities and trust of the national police under democratic control. There is, nevertheless, a lack of pressure for reforms from within the police force itself, which reinforces the need for a democratic leadership to provide the policies, resources and oversight to drive the law enforcement reform process forwards. Regulatory power over policing and judicial affairs should be strengthened at the central government level, rather than devolved. Also, police professionalism should be developed by improved training and education, freed from the roots of coexistence with the armed forces. A more serious, accountable, and professional national police corps, under democratic central government control, should also be given the responsibility for the enforcement of local laws and regulations.

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Contemporary Southeast Asia 27, no. 2 (2005): 255–80 ISSN 0219-797X

A "Fair Go" for East Timor? Sharing the Resources of the Timor Sea

CLIVE SCHOFIELD

A steady reduction in the United Nations presence in East Timor coupled with failure to reach an agreement with Australia concerning control over vast offshore oil and gas deposits in the Timor Sea raised fears of East Timor (Timor Leste) sliding towards becoming a "failed state" only three years after finally achieving independence from Indonesia after a quarter of a century of violent struggle. The draft agreement between Australia and East Timor on sharing the contested seabed resources lying between them, finalized in May 2005, has the potential to transform this scenario. This article explores the key economic and security challenges facing East Timor as a prelude to an evaluation of the question of maritime boundary delimitation in the Timor Sea, including analysis of the positions of the contending parties and assessment as to whether the new agreement represents a just and equitable resolution of the dispute (in Australian parlance, a "fair go") for East Timor.

Introduction

On 16 November 2004 the UN Security Council extended the mandate of the UN Mission in East Timor (UNMISET) for what was set to be a "final" six month period. This action was taken on the recommendation of UN Secretary-General Kofi Annan who argued that East Timor had yet to achieve "a critical threshold of self-sufficiency" as a consequence of "weak and fragile" levels of public administration.[1] Subsequently, in

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March 2005, the Secretary-General argued that the "premature termination" of the UN mission could have a negative impact on East Timor's security and stability and therefore urged the Security Council to renew its mandate, albeit in a scaled-back form, for up to 12 months to 20 May 2006 (UN 2005, p. 16). Despite initial misgivings by some States, notably Australia and the United States, on 28 April 2005 the UN Security Council voted unanimously to authorize the establishment of a one-year follow-on "special political mission" in East Timor to 20 May 2006.[2]

The Security Council debate on the Secretary-General's report coincided with a fresh round of sensitive maritime boundary negotiations over the resource-rich Timor Sea lying between them in March 2005, following a breakdown in dialogue at the end of 2004. Given Australia's leading role in the 1999 intervention in East Timor, which facilitated independence in 2002, the close personal and political relationships that were forged as a result, and Australia's continuing and substantial development aid to its "new" neighbour, it might be thought that maritime boundary delimitation negotiations would be smooth. Unfortunately, this did not prove to be the case and the issue became the key point of contention between the two states. A breakthrough does now appear to have been achieved after further negotiations concluding in May 2005.

Dili's failure to resolve its dispute with Canberra put the development of the region's energy resources at risk, and with it, East Timor's access to badly needed revenues. At stake are oil and gas reserves with an estimated value of US$30bn (A$38bn)[3] and it is thus difficult to overstate the critical importance to East Timor of the successful conclusion of these negotiations — a "matter of life and death" for East Timor, according to Prime Minister Mari Alkatiri (Oxfam 2004). Articulating his fledgling country's fears, East Timorese President Xanana Gusmao has gone on record to state that his country could not afford another protracted struggle, this time with Australia over oil revenues rather than Indonesia over independence, as there was a real danger that "we will end up being just one more failed state, one more country for whom independence proved to be just a dream" (Harding 2004).

The Challenges Facing East Timor

Following 24 years of Indonesian occupation and resistance that is estimated to have cost up to 250,000 lives, the people of East Timor voted overwhelmingly in favour of independence in August 1999 (Oxfam

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2004).[4] During the ensuing turmoil, which included an orchestrated campaign of violence and destruction on the part of pro-Indonesian and anti-independence armed militias, over 75 per cent of the population were displaced and an estimated 70 per cent of East Timor's physical infrastructure was damaged or destroyed (CIA 2005 and World Bank 2004). Indeed, economic production is estimated to have dropped by a staggering 49 per cent in 1999 (World Bank 2004). These events prompted intervention on the part of an Australian-led multinational military force, the International Force in East Timor (INTERFET), deployed under UN auspices from September 1999, which put an end to the conflict and established an interim international administration, the United Nations Transitional Administration in East Timor (UNTAET). The UN progressively transferred government authority to East Timorese personnel and on 20 May 2002 East Timor gained its independence as the Democratic Republic of Timor Leste.

Despite what Kofi Annan (United Nations 2005, p. 16) has hailed as the "truly remarkable" progress made by the Timorese people in building the world's newest state, coupled with substantial international development aid allied to laudably robust and prudent financial planning and management (for example, the Dili government maintains a "no borrowing" policy), East Timor nevertheless faces daunting challenges and remains heavily dependent on international aid (ADB 2004a; Oxfam 2004). Over 40 per cent of the population live below the poverty line, over half the population remain illiterate while over one in ten children die before they reach the age of five (Harding 2004; Oxfam 2004). The East Timorese economy contracted by around 3 per cent in 2003 (ADB 2004a) in large part as a consequence of the further scaling down in the international presence from a peak of around 9,000 peacekeeping troops and observers plus 1,600 police personnel in 2001 to UNMISET's contingent of around 600 civilian and military personnel.[5] The UN presence is set to be reduced still further as the emphasis shifts from peacekeeping to peacebuilding activities. As a result, East Timor is facing a major budget deficit of around US$30m over the next four years.

The economic downturn has also stemmed from crop damage resulting from a delayed rainy season in 2002 and then substantial flood damage in 2003 and the slow execution and winding down of reconstruction projects. The interrelated tasks of rebuilding infrastructure, institutions and meeting the needs of a rapidly growing population — where unemployment is running at least 20 per cent and up to 40 per cent in urban areas and among those aged between 15 and 24 — remain intimidating (ADB 2004a).

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Internally, dissatisfaction with the pace of economic change and widespread unemployment has led to disenchantment with standards of living. This manifested itself most clearly in the form of civil unrest in Dili in December 2002 when Prime Minister Mari Alkatiri's house and two other houses belonging to his family were burnt down (Hordern 2003, pp. 3–4; Oxfam 2004).

The newly formed Timor-Leste Defence Force numbers 1,400 and is being trained with Australian and British assistance. These partners have also helped to establish the 200-strong National Police of Timor Leste, which has taken over all policing functions from the UN Police (ADB 2004a). Additionally, Malaysia is providing training and logistical support in the formation of a rapid-reaction unit (Ramos-Horta 2004). Thus, while the presence of UN forces has generally ensured internal and particularly external security for East Timor, it remains to be seen whether East Timor's untested forces will be able to effectively guarantee security in the face of the looming security vacuum which the scheduled departure of the UN mission represents.

This is of particular concern in light of incursions across the border from Indonesian west Timor on the part of former pro-Indonesian militia members, as experienced in January 2003 and reported in early 2005 (Hordern 2003, p. 3; United Nations 2005, p. 2). Indeed, in his February 2005 report, the UN Secretary-General observed that the current Tactical Coordination Line remains "porous" and subject to cross-border smuggling and reported illegal crossings by alleged ex-militia groups from west Timor (UN 2005, pp. 2–3).

Such incidents may escalate once the last UN troops leave or if the internal security situation in East Timor deteriorates, encouraging opportunistic cross-border attacks and a breakdown in law and order. This threat is exacerbated by the fact that, despite lengthy negotiations, no final agreement on the 125km boundary dividing the island has been reached, although a provisional accord was signed on the margins of the ASEAN ministerial meeting in Jakarta on 30 June 2004.[6] Although the two sides signed a preliminary agreement on border demarcation on 8 April 2005 covering 96 per cent of the boundary line by length, the most contentious territorial disputes along the boundary have yet to be addressed.[7] An added complication in this context is the existence of East Timor's Oecussi enclave on the north coast of west Timor. This physically separate enclave has a 100km boundary with Indonesia that surrounds Oecussi on three sides (Deeley 2001) (see map).[8]

Kofi Annan also highlighted the fact that as yet East Timor's Border Patrol Unit "lacks sufficient capacity to manage border affairs and interact with the Indonesian national army on its own" (UN 2005,

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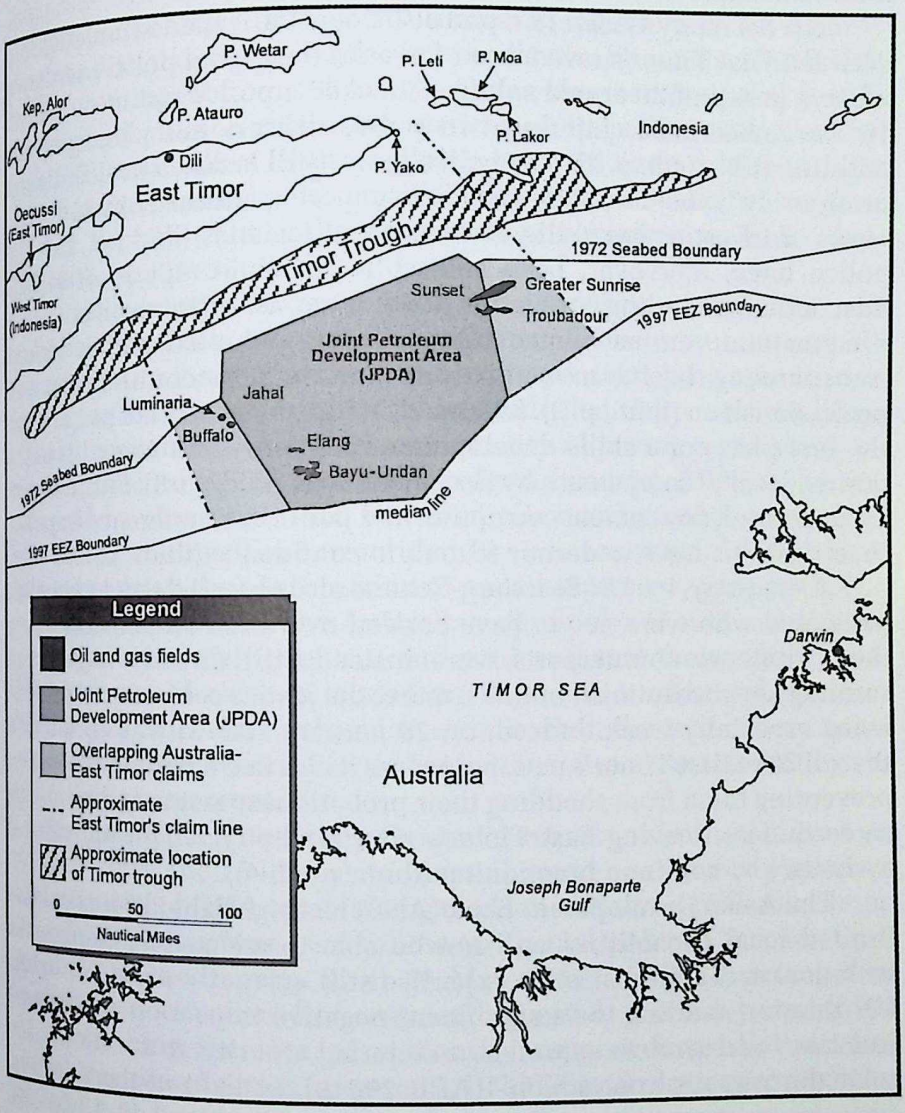
FIGURE 1
Timor Leste and Australia: Sea boundaries



p. 15). Similarly, whilst East Timor's Border Police Unit has reached its full strength of 300 personnel and is now responsible for all border crossings, its operations are "severely hampered" by shortages of communications and transport equipment (ibid., p. 9). The importance of border security was re-emphasized on 10 March 2005, when it was

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reported that the Australian authorities were investigating reports that four alleged Al-Qaeda terrorists may have slipped across the border from Indonesia into East Timor.[9]

The Secretary-General's report also noted the "strained" relationship between East Timor's own armed forces and national police, as shown when a group of 20 armed soldiers attacked a police station in Dili on 16 December 2004, injuring two police officers and damaging the building (UN 2005, p. 2). The police force "still lacks critical skills and proficiency", the Secretary-General's report continued, including in terms of investigation skills, forensics and logistics (ibid., p. 15). The police have, moreover, been subject to multiple reports of serious misconduct including "excessive use of force, assaults, negligent use of firearms and various human rights abuses", coupled with a lack of transparency in its investigations and poor accountability and professionalism (ibid., p. 9). Indeed, of 1,700 police officers put through the first phase of a skills development plan, only half came up to the desired level of competence by December 2004 (ibid., p. 8). Furthermore, allegations of government corruption and political interference in police investigations have undermined public confidence (ibid., p. 15).

Alarmingly, the UN Secretary-General also observed that UN civilian personnel who were due to have handed over their responsibilities to their Timorese counterparts were instead still directly engaged in running key institutions. In this context the justice sector is regarded as being especially weak. Indeed, on 20 January 2005 it was announced that all 22 of East Timor's national judges had failed a written evaluation preventing them from shedding their probationary status and becoming career judges, leaving East Timor's courts wholly reliant on external assistance to continue functioning (ibid., pp. 5–6).

The Asian Development Bank (ADB) has highlighted concerns that limited local capabilities will not be able to adequately replace the technical and administrative expertise still currently provided by the UN mission, leading to "a significant negative impact on government functions and services as well as on internal security, in addition to the related economic contraction" (ADB 2004b). In light of these factors, Kofi Annan argued that the "premature termination" of UNMISET could have a negative impact on East Timor's security and stability, the proper functioning of state institutions and could jeopardize the progress made, and thus the international community's considerable investment in East Timor, to date (UN 2005, p. 15). He therefore urged the UN Security Council to renew of UNMISET's mandate for up to 12 months to 20 May 2006 but with a significant scaling back in the mission's manpower and thus cost.

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The Secretary-General stated that there was a "compelling need" to retain 35 military liaison officers (down from 42) on the border with Indonesia, backed up by a small international security support force of 144 personnel (down from 310), including logistic and air mobility support units, thus providing for an overall reduction of the UNMISET's military contingent from 477 to 179. Annan also recommended that the reconfigured mission retain the services of 40 police trainers (down from 157), 45 civilian advisers (down from 58) and 10 human rights officers (down from 14) plus a small office to support Sukehiro Hasegawa, the UN Secretary-General's Special Representative in East Timor (UN 2005, pp. 11–12 and 15–16).

The Secretary-General's recommendations were not met with universal approval, however. The United States, alone among the Security Council members, called for the peacekeeping operation in East Timor to be wound-up on the grounds that there was "no longer a threat to international peace and security requiring a peacekeeping mission", according to U.S. delegate Reed Fendrick.[10] This view was endorsed by Australia with the Australian ambassador to the UN, John Dauth, stating "the current security environment of Timor-Leste does not warrant the continuation of peacekeepers along the border".[11] This led to claims from the Australian opposition that the Australian government was trying to "cut and run" and that the withdrawal of UN forces would serve to leave East Timor vulnerable and reinforce Dili's dependence on Canberra at a time when the two countries are engaged in sensitive boundary negotiations — a view rejected by the Australian government.[12]

Eventually, the Secretary-General's request was heeded and on 28 April 2005, the UN Security Council voted unanimously to adopt resolution 1599 (2005), establishing the United Nations Office in Timor-Leste (UNOTIL), a "one-year follow-on special political mission" due to remain in the country until 20 May 2006.[13] UNOTIL strength is, however, far less than Kofi Annan requested, the most significant reduction being the lack of a security support force. Rather than undertaking peacekeeping operations, UNOTIL will play a peacebuilding role and to that end will consist of 45 civilian advisers to support the development of critical state institutions; 40 police advisers to support further development of the East Timorese police force; 35 advisers, including 10 military advisers, to support the development of the Border Patrol Unit; and, 10 human rights officers to bolster democratic governance. Once UNOTIL's mandate expires it is anticipated that the UN presence in East Timor will shift to a new framework focusing on sustainable development assistance.

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Against this backdrop of fundamental challenges to East Timor's security, stability, economic development and ultimately viability as an independent state, it is easy to understand the paramount importance attached to the maritime boundary delimitation negotiations by Dili. For East Timor, securing a substantial share in the Timor Sea's resources is likely to represent the difference between viable and sustainable independent economic development and underdevelopment, unrest and long-term aid dependency.

The State of Play in the Timor Sea

Australia has been very active and successful with regard to the delimitation of maritime boundaries with its neighbours, concluding multiple agreements with Indonesia (1971, 1972, 1981, 1992 and 1997), the innovative Torres Strait Treaty with Papua New Guinea (PNG) (1978), with France (concerning both New Caledonia in the Pacific and between Australia's Heard and McDonald Islands and France's Kerguelen Island in the sub-Antarctic, 1982), the Solomon Islands (1988), and most recently with New Zealand (2004) (Charney and Alexander 1993 and 1998; Kaye 2001).[14] Australia has therefore concluded agreements with all its maritime neighbours save for East Timor.[15]

With respect to the Timor Sea, in the early 1970s Australia secured a highly advantageous seabed boundary agreements with Indonesia based on the concept of "natural prolongation" (see below). As a result of the presence of the Timor trough significantly closer to the Indonesian coast than the Australian one, the boundary line lies well to the Indonesian side of a median or equidistance line between the opposite coasts involved (see map). The final boundary was, in fact, a compromise between Indonesia's median line position and Australia's desire for a delimitation along the Timor trough axis line. Nonetheless, the boundary, which broadly accords with the 200m depth isobath along the southern side rather than the axis of the Timor trough, was still substantially nearer to the latter position than the former and as a result delivered around 80 per cent of the disputed area to Australia (Charney and Alexander 1993, pp. 1210–11; Kaye 2001, pp. 47–50, and 2003, pp. 51–59).

Following Indonesia's invasion of East Timor and Canberra's subsequent acceptance of Indonesian sovereignty over East Timor, itself a source of resentment towards Australia in East Timor (see, for example, Roberts 2005), the two sides came to negotiate closing what became popularly known as the "Timor Gap" between the separate sections of their existing maritime boundary agreements to the east and west. However, evolutions in international law in the 1980s, suggesting that

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natural prolongation should have no impact on the course of boundary delimitation within 200nm of the coast, transformed matters. As a result of the significantly altered international legal context, Canberra and Jakarta could not agree and instead concluded on a complex yet also highly innovative and comprehensive maritime joint development zone (see, for example, Fox 1989 and 1990; Miyoshi 1999, pp. 17–20).

On independence East Timor maintained that it was not bound by any of the agreements related to East Timor's territory entered into by Jakarta — including the Timor Gap joint development zone. Some progress was made, however, and an interim arrangement, termed the Timor Sea Treaty (TST), was signed in 2002. The TST established a Joint Petroleum Development Area (JPDA), which encompasses the central part of the old Australia-Indonesia joint zone. The JPDA includes the Bayu-Undan field, but gives East Timor a 90 per cent share of government revenues therein. The TST entered into force in April 2003, allowing production of natural gas from the Bayu-Undan field from February 2004. This field has the potential to generate revenues of around US$3bn over the next two decades.

Subsequently, agreements were reached in 2002 and early 2003 in respect of the unitization of the Sunrise development led by leading Australian oil exploration company Woodside Petroleum, which straddles the JPDA and seabed to the east of the zone which Australia considers to be under its sole sovereignty as this area lies to the south of its agreed delimitation with Indonesia.[16] The problem for East Timor here is that under the unitization agreements, only 20 per cent of the huge Greater Sunrise field lies within the JPDA (thus in fact giving East Timor an 18 per cent share under the 90:10 split in revenues). East Timor has sought to address this issue by advancing significantly broader claims to offshore areas beyond the limits of the JPDA — including the vast majority of the Greater Sunrise field. Dili has therefore been holding off on ratifying the unitization accords as a means to pressure Australia into being more flexible in its negotiating stance and thus deliver a greater share of these vital seabed resources to sustain its fledgling economy. This, in turn, led Woodside to suspend work on the Sunrise project in early January 2005 and deploy staff elsewhere, potentially delaying production for years.[17]

Attempts to Close the "Timor Gap": Contending Positions

Australia has been subject to considerable criticism for its negotiating stance with respect to East Timor over Timor Sea resources. In particular, a May 2004 Oxfam Community Aid Abroad (Australia) report was

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highly critical of Canberra's approach, accusing Australia of taking almost 10 times as much in Timor Sea oil and gas revenues than it has provided to East Timor since 1999, of negotiating in bad faith, of unilaterally exploiting resources in areas claimed by both sides and of evading independent international dispute settlement procedures (Oxfam 2004). The Oxfam report further alleges that Australia has appropriated two-thirds of the Timor Sea's known hydrocarbon resources even though maritime delimitation according to international law "could deliver most, if not all, these resources to East Timor" (Oxfam 2004).

It was also notable that in a March 2004 letter signed by 53 Members of the U.S. House of Representatives, Australian Prime Minister John Howard was urged to "move seriously and expeditiously in negotiations with East Timor to establish a fair, permanent maritime boundary and an equitable sharing of oil and gas resources in the Timor Sea".[18] Indeed, in May 2005, the Economist commented that "on any reasonable reckoning most of the oil lies in Timorese waters" and that Australia's "continued meanness to East Timor is a blot on its otherwise shining foreign policy record".[19]

Unsurprisingly, Australia does not countenance such suggestions and Canberra has mounted a robust defence of its claims, criticizing the Oxfam report on the grounds of lack of balance and accuracy and terming it "fundamentally flawed and genuinely unhelpful" to the dispute resolution process.[20] The Australian government argues forcefully that Australia has proved to be a positive partner in its dealings with East Timor having played a pivotal role in securing East Timor's independence through the Australian-led UN intervention from 1999, dedicating over 4,500 Australian Defence Force (ADF) personnel to support INTERFET at the height of its operations together with over 1,600 deployed in support of the UNTAET.[21] Australia has also supported UNTAET's successor, UNMISET, which was established on East Timor's independence, which, at its peak, involved over 900 ADF personnel.[22] Australia also remains one of East Timor's leading aid donors having committed over A$400m in development aid in the 1999–2004 period.[23] Indeed, Canberra can justifiably argue that no country has done as much as Australia to help realize East Timorese independence and ensure its development.

The contention that Australia has adopted a generous position vis-à-vis East Timor extends to Canberra's interpretation of its stance on the issue of maritime boundary delimitation in the Timor Sea. Australia continues to base its claims on natural prolongation, a concept that is fundamental to claims to jurisdiction over continental shelf areas. There has been considerable debate, however, as to whether natural prolongation merely provides the source of title to the continental

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shelf rather than representing a relevant circumstance dictating the means to delimit that shelf (see, for example, Evans 1989 and Highet 1989). The latter view has in large part stemmed from the North Sea Continental Shelf cases of 1969 where the ICJ treated natural prolongation as the key consideration in the delimitation of the continental shelf. Highet (1989, pp. 87–90) refers to the term natural prolongation as "vague and marvellous" and the Court's use of it as a "descriptive attribute" used to describe the nature of the continental shelf, rather than a "functional attribute" providing "a reason for finding the boundary".

Nevertheless, it has been suggested that the geophysical characteristics of the sea floor, that is the geomorphology (shape, form and configuration) of the seabed and its geology (composition and structure), should have a role in determining continental shelf boundaries and Australia deployed these arguments to great effect in its maritime boundary negotiations with Indonesia.

With regard to East Timor, Australia argues that the Timor trench represents a clear break between the two countries' continental shelves and its existence substantially closer to the Timorese than Australian coastline remains a key relevant circumstance that would serve to push any delimitation line towards East Timor and substantially away from a median or equidistance line alignment to Australia's advantage — conceivably, according to this logic, as far as the axis of the Timor trough itself, which on average is only around 50km off the coast of East Timor. Australia also argues that Australia has a "broader frontal coastline" in the relevant area that would justify shifting the boundary line in Australia's favour.[24]

Canberra therefore argues that it is being extremely generous in agreeing to a 90:10 split in revenues in East Timor's favour for the zone governed by the TST as, if Australia's arguments were applied in full, East Timor might not be entitled to any of that area including the Bayu-Undan field.

East Timor contends that this position is flawed and relies on outdated concepts of the international law of the sea. East Timor bases its arguments in favour of an equidistance line between the two states' opposite coastlines on substantial state practice coupled with relevant case law, notably the 1985 ICJ decision in the Libya/Malta case. In that case before the ICJ, Libya contended that a "Rift Zone" lay between the parties of such a profound character, described as a "fundamental discontinuity", that it should form the basis of the continental shelf boundary between the two states (ICJ 1985, para. 36).

Ultimately, however, the Court decided to do away with geophysical arguments in their entirety, at least in relation to those areas within

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200nm of the coast. The Court found that on the basis of "new developments in international law", as there was less than 400nm between the parties' coastlines, "the geological and geomorphological characteristics of those areas ... are completely immaterial", and that "whatever the geological characteristics of the corresponding seabed and subsoil, there is no reason to ascribe any role to geological or geophysical factors ... either in verifying the legal title of the States concerned or in proceeding to a delimitation as between their claims (see Highet 1993, p. 177).

The Court's decision was based on the 1982 UN Convention on the Law of the Sea (LOSC) regarding the acceptance of the exclusive economic zone (EEZ) concept and with it the so-called "distance principle". This development in international law effectively eliminates the possibility of relying on physical natural prolongation as the basis for delimitation as the EEZ is not dependent on geophysical factors and has "essentially assumed control over the legal regime of the shelf in the method of its delimitation" (ibid.).

East Timor therefore argues that the Timor trough is irrelevant for continental shelf division. In any case, East Timor also contends that the Timor trough does not represent a clear geological separation between distinct East Timorese and Australian natural prolongations. Antunes provides an overview of the morphological and geological characteristics of the Timor trough and emphasizes the feature's complexity as well as the fact that some scientific commentators refer to Timor itself as being partially formed of "upthrusted fragments of the Australian continental margin". Indeed, of the five models of the Timor trough reviewed by Antunes "all establish some relationship between the Australian continental margin and Timor" such that it is therefore "very difficult to affirm straightforwardly that there is a geological detachment between Timor island and the Australian margin" (Antunes 2004, pp. 380–82; See also Charney and Alexander 1993, p. 1211).

In fact, under the LOSC, the provisions dealing with the delimitation of the continental shelf and the EEZ are identical. Thus, both Article 74(1) dealing with the EEZ, and Article 83(1) dealing with the continental shelf, state:

> The delimitation of the continental shelf [or exclusive economic zone] between States with opposite or adjacent coasts shall be effected by agreement on the basis of international law, as referred to in Article 38 of the Statute of the International Court of Justice, in order to achieve an equitable solution.

No particular method of delimitation such as equidistance is recommended. Instead, the emphasis is on achieving an equitable result.

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Nevertheless, it is clear that in practice the equidistance method has proved far and away the most popular method of delimitation. Furthermore, in respect of delimitations between opposite coasts, such as those of Australia and East Timor, fully 89 per cent of delimited maritime boundaries are based on some form of equidistance (Legault and Hankey 1993; Prescott and Schofield 2005, p. 238).

Furthermore, while strict equidistance lines do not necessarily translate directly to final delimitations, such lines often provide the starting point for both maritime boundary negotiations and third-party dispute resolution. Indeed, recent cases before the ICJ have strongly reinforced this view. For example, in the Qatar-Bahrain Judgment, the Court was explicit in stating that it had followed "the most logical and widely practised" two-stage approach to delimitation consisting of, first, the drawing of a provisional equidistant line and secondly, considering whether any circumstances exist which should lead to an adjustment or modification of that line in order to achieve an equitable result (ICJ 2001, para. 176; Prescott and Schofield 2005, pp. 240–41). On the basis of substantial state practice and the jurisprudence of international courts and tribunals, therefore, East Timor favours the application of the median or equidistance line as the basis for delimitation with Australia.

Thus, Dili believes that whilst Canberra appears to be generous by agreeing to a 90:10 split in revenues from the JPDA in East Timor's favour, especially as the split under the previous Australia-Indonesia deal for this area was 50:50, in reality this is an illusion. East Timor argues that the entirety of the JPDA lies on its side of a median line between the two states' opposite coastlines, that there are no circumstances that justify a departure from such an equidistance-based line and therefore that Australia has no right to even 10 per cent of the revenue derived from the TST zone. Instead, on the basis of substantial state practice and the jurisprudence of international courts and tribunals, therefore, East Timor has argued strenuously for the application of the median or equidistance line as the basis for delimitation with Australia.

Widening the "Gap"

East Timor, of course, was not party to the bilateral Australia-Indonesia boundary agreements, the terminal points of which define the extent of the "Timor Gap". Instead, East Timor argues that there is justification for widening its "window" on the Timor Sea. This argument is fundamental to East Timor's contention that it is entitled to as much as three times more in terms of oil and gas revenues than it would receive through present arrangements as several major oil and gas fields are

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located just to the east and west of the current TST joint zone. These include the vast majority of the Greater Sunrise field to the east and the Laminaria and Buffalo fields to the west. East Timor therefore lays claim to significant hydrocarbon deposits which Canberra considers to be on exclusively Australian seabed by virtue of their location to the south of the boundary line agreed with Indonesia (see map). If East Timor were to accept the current situation by ratifying the unitization agreement and allowing the JPDA to continue to function, it is estimated that Dili would receive around A$5.7bn (US$4.1bn) in government revenues over 30 years. Instead, East Timor maintains that it is entitled to around three times that figure or approximately A$17bn (US$12.3bn) (Oxfam 2004).

The problem for East Timor is that the lateral lines that define the limits of the old Australia-Indonesia joint zone and the current JPDA were simplified lines of equidistance (Charney and Alexander 1993, p. 1250). Thus, while East Timor is arguing for control over areas and resources clearly nearer to East Timor than to Australia, these areas are also nearer to Indonesia than East Timor. East Timor can make the case that to the east the relatively small Indonesian islands of Leti, Moa and Lakor inequitably shift the equidistance line to Indonesia's advantage and should be given a reduced effect. Similarly, to the west, East Timor can contend that the headland of Tanjong We Toh, located immediately west of the terminus of the land boundary on the Timor Sea coast, inequitably deflects the equidistance line to East Timor's disadvantage and should also be discounted (see map). Nevertheless, Indonesia is likely to argue to the contrary and this is undoubtedly a problematic aspect of East Timor's case yet crucial to Dili's claims for a substantially greater share of the resources of the Timor Sea (see, for example, Rothwell and Tsamenyi 2000). It is also worth noting that were East Timor successful in taking the dispute to the ICJ (notwithstanding Australia's objections), it is highly likely that the Court would not be in a position to rule on the areas to the east and west of the JPDA without the consent of Indonesia on the basis that the rights of that state might be infringed by the Court's judgment.

At present Australian authorities have refused to countenance any East Timorese "ambit claims"[25] to the east and west of the "Timor Gap" and has continued to take the revenues, at a reported rate of over A$1m per day, from the gas fields which are on the Australian side of its boundary with Indonesia but on the northern (East Timorese) side of a median line and in close proximity to the current joint development zone — action that was vigorously protested by the Dili authorities (Oxfam 2004). Australia has been urged to hold revenue from disputed areas located on East Timor's side of the median line but outside the

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JPDA in escrow until the dispute has been resolved.[26] John Howard has, however, stated that Australia has exercised jurisdiction over the relevant area for "an extensive period of time" and that international law does not require revenues from that area to be placed in escrow "simply because another State subsequently makes an ambit claim to sovereignty rights over that area".[27]

In the aftermath of intemperate public exchanges including Timorese accusations that Australia "illegally occupying" the disputed maritime areas and engaged in "unlawful exploitation" of the resources therein, bilateral relations deteriorated sharply.[28] In this context it was perhaps notable that Canberra trimmed back its development aid budget allocation for East Timor by 8.4 per cent in May 2004 even though the overall aid budget rose.[29] East Timorese leaders interpreted this as punishment for their refusal to accede to Australian desires in the Timor Sea (Harding 2004). Again, Australia rejects this view, instead pressing its leading donor credentials with regard to East Timor.

Side-stepping the International Court of Justice

Another facet to the dispute that has soured bilateral relations and undermined mutual trust is the issue of third-party adjudication. In March 2002, a mere two months before East Timorese independence, Australia withdrew from the compulsory jurisdiction of the ICJ with regard to settling any dispute over its maritime boundaries.

Australia is wholly within its rights to take this decision, which effectively forestalls any attempt to take Australia to court on maritime boundary matters as the consent of the parties involved is a prerequisite for the ICJ or similar tribunals to hold jurisdiction. Australia is also far from the only state to have opted for this course of action. Australia has argued that it is far more preferable to negotiate maritime boundaries rather than submit them to binding international adjudication. Canberra also has legitimate concerns over relinquishing control over the dispute, the potential for the ICJ or other international tribunal to hand down an unpalatable, as well as unpredictable, result as well as implications in terms of time and the potentially substantial costs involved. Australia has also stressed that its withdrawal from the compulsory jurisdiction of the ICJ does not only apply to maritime boundaries and is "not aimed at any particular country", applying to all Australia's neighbours equally.

Nonetheless, the fact that Australia has already concluded maritime boundary delimitation agreements with all its other maritime neighbours, coupled with the timing of the decision to withdraw, just prior to East Timor achieving independence, has given rise to substantial suspicions

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on the East Timorese side that Australia's action was specifically designed to frustrate any attempt by Dili to take the maritime boundary dispute to the ICJ or the International Tribunal on the Law of the Sea for a final and binding independent decision. Naturally, Australia categorically rejects this viewpoint but Canberra has nevertheless attracted significant international criticism for this action.[30]

Australia's reluctance to submit the dispute to the ICJ has been taken in East Timor to indicate that Australia has not been negotiating in good faith as it is aware that it has a case that is "not credible or sustainable" in international law and that the ICJ, in line with decisions in recent cases, would be likely to reject Australia's geomorphological arguments and take the median line as the starting point for delimitation (Ramos-Horta 2004).

Australia strongly contests this interpretation. Nevertheless, the fundamental consequence of Australia's action is that, in the absence of legal adjudication by a third party like the ICJ, the dispute will need to be resolved through negotiations.

In a similar vein, East Timor has also repeatedly expressed frustration at Australia's leisurely pace in handling the negotiations including a somewhat bizarre suggestion by Canberra that it lacked the resources to meet for negotiations more than once every six months even though the Timorese were willing to meet on a more frequent basis.

The Role of Indonesia

In a sense Canberra is painted into something of a corner on this issue as, even though, technically, every maritime boundary should be viewed as unique and considered in isolation, there can be little doubt that Jakarta is watching closely. Were Canberra to concede a median line in its boundary negotiations with East Timor, this could conceivably jeopardize existing Australia-Indonesia boundaries and disrupt improving bilateral relations. Such a move might well prompt calls within Indonesia, however unrealistic, for a renegotiation of its own boundary treaties with a view to gaining a settlement that would be more advantageous than the ones it signed up to in the 1960s and 70s. At the least, Australia's acceptance of a median line with respect to East Timor would be likely to reawaken Indonesian perceptions of injustice that much of its seabed boundary alignment is much closer to the Indonesian than Australian coast on the basis of natural prolongation arguments dating from the 1960s and 70s. Indeed, there is a prevailing view in Jakarta that Indonesia was "taken to the cleaners" when these agreements were negotiated (Kaye 2003, p. 54). This is notwithstanding

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the fact that boundary treaties, once signed, are final and not subject to change save through agreement by all parties concerned.

As Australian Foreign Minister Alexander Downer said on 16 November 2004, Australia has no wish to "unscramble the omelette" of all its previously agreed boundaries with neighbouring states.[31] While such a scenario seems highly improbable in purely legal terms, the political ramifications are significant. It is notable that the 1997 agreement between Australia and Indonesia remains unratified and Canberra remains anxious to forestall any potential threat to this treaty, however slight, as it was the result of years of negotiations and thus represents a very considerable diplomatic investment. Downer made Australia's position clear on 26 April 2005: "What Australia doesn't want is to unravel all of our maritime boundaries which have been negotiated over many years with all our neighbours".[32]

Additionally, Canberra is keen to engage with the new government of Susilo Bambang Yudhoyono with a view to rebuilding bilateral relations, which are still recovering from Canberra's support for East Timorese independence and key role in the intervention that brought that about. A new security agreement is being mooted to replace the 1995 Agreement on Maintaining Security abrogated by Jakarta as a result of Australia's intervention in East Timor in 1999. Given this delicate context, there is no desire in Canberra to see strategically important and developing ties with Jakarta compromised by the East Timor boundary issue.

For East Timor, Indonesia also represents a vitally important neighbour, particularly in light of the relative size and power of the two States coupled with the background of Indonesia's former occupation of East Timor and role in backing pro-Indonesian militias in the conflict following the pro-independence referendum of 1999. Indonesia is also important to East Timor in terms of trade as well as security. In respect of the latter concern, the presence of former militia members in west Timor, border security and the absence of a final boundary delimitation agreement on the land boundary loom large.

Dili has been keen to improve relations with Jakarta, particularly following the election of President Yudhoyono. To this end the President of East Timor, Xanana Gusmao, met his Indonesian counterpart on 13 December 2004 and agreed on the establishment of a Truth and Friendship Commission. This has raised serious concerns that those guilty of crimes in the course of the violence following the 1999 independence vote in East Timor will go unpunished, especially as the UN's Serious Crimes Unit in East Timor is being wound down, ending all investigations on 30 November 2004, despite the fact that 304 indicted individuals remain at large beyond East Timor's territory.

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Meanwhile, in Indonesia, the vast majority of individuals put on trial before Indonesia's own ad hoc human rights tribunal, including key figures such as East Timor's last Governor of the then Indonesian province, Abilio Soares, and the former regional military commander, Major General Adam Damiri, have either been found not guilty or acquitted on appeal.[33]

In this Dili appears to be adopting a pragmatic stance, putting bilateral relations with Jakarta ahead of pursuing justice with East Timorese Foreign Minister Ramos Horta commenting that "East Timor is not going to be the Lilliputian judge, which is going to bring justice to very powerful Indonesian ministers ... If we are seen by Indonesia as conniving with the international community to continue to embarrass Indonesia, it could have a backlash against East Timor" (Loyn 2005).

Breaking the Deadlock?

In August 2004 there were indications that the framework for a compromise deal was coming together whereby East Timor looked set to gain a substantially larger proportion of the oil and gas revenues at stake, thus addressing Dili's key concern. In turn, Australia's sovereignty concerns would be acknowledged, with discussions on a permanent boundary line being deferred for as long as 100 years, thereby helping to safeguard Australia's other important boundary agreements with Indonesia.

Emerging from bilateral talks held in Canberra on 11–12 August Australian Foreign Minister Alexander Downer and his East Timorese counterpart Jose Ramos-Horta agreeing that a significant breakthrough had been achieved with the former declaring that "we have really made some extraordinarily good progress today". Mr Ramos-Horta stated that "acrimonious voices" had ended and that the political will now existed on both sides to settle the dispute "constructively, pragmatically and creatively".

Such rhetoric represented a boon to the Howard government in domestic political terms, taking place as it did just prior to the Australian federal elections in October 2004. The Australian government portrayed the draft agreement as a generous gesture towards a poor and disadvantaged neighbouring state on Canberra's part. Indeed, Downer went so far as to describe the proposed deal as a potential "Christmas present" for the people of East Timor, painting Australia as Father Christmas with at least one eye on heading off the East Timor boundary question as a potential election issue as well as countering the considerable international and domestic criticism levelled at the

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Australian government for the apparently harsh and legally dubious position it has adopted against a small developing state. Unfortunately, however the Australian foreign minister's comment that he anticipated "endless argy-bargy about the details" in future rounds of negotiations proved prophetic.

The Talks Collapse

A further round of negotiations between Australia and East Timor took place in Dili but broke up acrimoniously on 27 October 2004. Australia is understood to have proposed, on the basis of the outline agreement achieved in August, that Australia pay East Timor a "subsidy" of the order of US$2–3bn extra in revenues, a deal that would give East Timor roughly half of the government revenues deriving from the Greater Sunrise development. Foreign Minister Downer later termed this offer "disproportionate and unfair to Australia", but one that Canberra was clearly still willing to make in the interests of good neighbourliness and extending a helping hand to disadvantaged East Timor.[34]

The talks foundered over the size of the subsidy on offer and, crucially, the issue of East Timorese participation in the "downstream" processing of resources. East Timor's Foreign Minister stated that Australia had issued a "take it or leave it" offer which would involve Dili accepting Canberra's position on the maritime boundary in exchange for "compensation" of the order of US$3bn spread over three decades – significantly less than the US$4.5bn he said had been discussed during the August talks. Ramos-Horta stated that as far as East Timor was concerned this offer "amounted to an unacceptable blackmail" (Ramos-Horta 2004).

A key sticking point appears to have been Dili raising the issue of East Timorese participation in the "downstream" processing of the resources, and in particular the benefits to the East Timorese economy if gas from the Greater Sunrise is to be brought ashore in Dili rather than Darwin, as Canberra would prefer. This seems to represent somewhat belated realization on the part of the East Timorese that in reality the location of liquefied natural gas (LNG) processing operations could represent an even bigger prize than the royalties from oil and gas exploitation itself.

East Timorese Prime Minister Alkitiri, writing in the *Age* (Melbourne) on 3 November 2004, lamented that the Australian side "only wanted to talk about money" rather than the issue of the location for the LNG processing operations and pointed out that one estimate of the potential benefit to the Darwin region of bringing the Greater Sunrise

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gas onshore for processing there amounted to A$22bn. He went on to note that the gas from the Bayu-Udan field is already being brought ashore in Australia and that East Timor would realize no benefits from the downstream activities associated with that processing. He went on to note that oil company Woodside had estimated that the distance to East Timor was 150km, compared with 500km to Australia, and that "technology is no longer an impediment". Alkitiri stressed that the political will existed on the East Timorese side to "achieve a just settlement" but there was still a need to find "a fair means of sharing upstream revenue as well as downstream benefits".[35]

Unremarkably, the Australian take on the negotiations is somewhat different. Alexander Downer stated that Australia did not deliver an ultimatum, and that the figures offered by Ramos-Horta were incorrect, although he did not elaborate. Instead he argued that Australia had offered numerous "constructive solutions", but that these were rejected by the Timorese.[36] While it is reportedly technically feasible to construct a pipeline from the Timor Sea gas fields to East Timor, the presence of the Timor trough means that this is likely to be a considerably more expensive option than the alternative of a pipeline to bring the gas onshore at Darwin, despite the fact that such a pipeline would be substantially longer than one to East Timor. The higher costs of establishing a processing plant in East Timor rather than Australia have also been raised as a significant disincentive to the idea of LNG processing on East Timorese territory.

As a result of the breakdown in negotiations the development of the huge Greater Sunrise field which contains an estimated 7.8 trillion cubic feet of gas worth A$5–7bn (US$3.8–5.3bn) development appeared to be in jeopardy. Woodside suspended all work on the project after the end of 2004 deadline the company set for resolution of the boundary issue and ratification of the unitization agreement passed, citing lack of legal and fiscal certainty needed to seal the long-term supply contracts needed to underpin development of the field. This is despite the fact that the company has already invested over A$200m in the project in exploration, planning and marketing costs.[37] Although the field has been fully appraised and Woodside could readily return, there are concerns that the company's attentions have shifted to other more attractive fields on Australia's North West Shelf. This could result in a substantial delay, and would constitute a serious blow to East Timor, which regards offshore hydrocarbon development as a national imperative. The effect on East Timor is likely to be a substantial scaling back in anticipated revenues from oil and gas as the horizon for the development of fields is pushed back.

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The negotiation process broke down on downstream issues as well as the size of compensation payments despite encouraging earlier signs in terms of a revenue sharing deal for the Timor Sea resources themselves. In particular, Canberra appeared to be exasperated by what it views as East Timor having "backtracked" on the outline deal agreed in August and raising fresh obstacles.[38] For its part East Timor continued to pursue its potentially risky strategy of publicly criticizing and essentially trying to embarrass Australia into agreeing to a more favourable deal. With this in mind, East Timor raised the possibility of requesting the UN General Assembly to in turn request that the ICJ examine the dispute. Although the ICJ would only be able to deliver a non-binding advisory opinion, the move would discomfit Australia.

To what extent these exchanges amounted to brinkmanship and posturing as both sides manoeuvred to secure the best deal for themselves within the negotiations context remains difficult to gauge. Nevertheless, East Timor maintains that it will not be forced by sheer economic necessity to simply take what Australia offers. Jose Ramos-Horta indicated on 29 November that East Timor would not give in to Australian "pressure or bullying tactics". Having waited 24 years to achieve freedom and independence, he observed that "we can wait a few more years" rather than submit to what East Timor views as an unfair settlement (Ramos-Horta 2004). In stark contrast, his Australian counterpart, Alexander Downer, urged East Timor to "respond with grace" to Canberra's offer and acknowledge the "tremendous" assistance provided by Australia, pointing out bluntly that: "East Timor wouldn't be an independent country if it wasn't for Australia".[39]

One key consideration which may have helped to break the deadlock is that Australian Prime Minister John Howard has repeatedly made it clear that it has no desire to see the emergence of "failed States" on Australia's doorstep. East Timor has repeatedly emphasized that the only foreseeable way in which it can hope to undertake sustained development and thus avoid sliding towards failed state status is through securing a significant share of the seabed resources of the Timor Sea. On this basis, it is clearly in Australia's own interests to ensure East Timor economic viability and thus security and political stability.

Breakthrough

Against this backdrop, a fresh round of maritime boundary delimitation negotiations between East Timor and Australia took place on 7–9 March and 27–29 April 2005. It appears that the two sides edged closer to a

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compromise at the March meetings with Australian Foreign Minister Alexander Downer emerging to comment that "very good progress" had been made and that the framework for an agreement had been "nutted out".[40] No agreement was finalized, however, and Downer added the caveat that details still needed to be worked out and that "there have been times in the past I've thought we were really getting there and then it's gone backwards".[41]

The April meetings yielded "substantial agreement on all major issues" according to Downer, including a "breakthrough" on the crucial issue of sharing revenues derived from the key Greater Sunrise field, the development of which could now proceed. Downer estimated that the deal would be worth "two to five billion" dollars of additional revenue to East Timor, dependent on oil prices, over and above that set to flow to the country as a result of the TST and JPDA. Downer insisted that "we don't want to keep East Timor poor" and that "Australia's interest isn't to rip off East Timor" but that Australia was not a charity and had its own legitimate interests to protect.[42]

Downer's counterpart, Jose Ramos-Horta, commented on 3 May 2005 that while many details still have to be worked through, "unprecedented progress" had been made, and that the two countries were "on the threshold" of agreement and a new era in bilateral relations as a consequence: "I am confident that we are on the brink of securing an agreement to handle for a long period of time our competing claims in the Timor Sea and in turn unlock the enormous hydrocarbon potential of this region."[43] A subsequent meeting in Sydney on 11–13 May resulted in the draft agreement being finalized, ready for submission to the two governments. Assuming both sides are happy with the deal, the Australia and East Timor can now move to signing a formal treaty and resolution of the dispute.

A "Fair Go" for East Timor?

Does the draft agreement represent a "fair go" for East Timor and an equitable deal overall? As the two States have freely entered into the agreement, the verdict must be in the affirmative. Reports indicate that permanent maritime boundary delimitation negotiations will be deferred for up to 60 years. In return for agreeing to this, East Timor's share in revenues deriving from the Greater Sunrise field is set to increase to 50 per cent from the figure of 18 per cent under the TST and unitization agreement.

The draft agreement therefore suits Australia, which is concerned that acceding to East Timorese demands for a median line will jeopardize its existing maritime boundary agreements with neighbouring states,

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especially Indonesia. At the same time the agreement secures several billion dollars in additional revenue for East Timor over and above the amount to be provided under existing agreements. The alternative is, in any case, unpalatable for East Timor as Australia has made it abundantly clear that were East Timor to continue to press for a permanent boundary delimitation, this could take considerable time and result in East Timor missing out on very substantial oil and gas revenues. While it could be argued that East Timor's hand has been to some extent forced, it is worth noting that the agreement will be without prejudice to the sovereignty claims of either party. Overall, the agreement therefore appears to be a creative and mutually beneficial one, albeit born of some necessity on East Timor's part. Ultimately, the negotiation has resulted in both sides making significant concessions and for East Timor, the agreement potentially goes a long way towards dispelling the dire prospect of East Timor becoming the world's latest failed state if the oil revenues are used wisely: a "fair go" for both states.

NOTES

1 UN News Service (http://www.un.org/News), 10, 15 and 16 November 2004; Agence France-Presse (AFP), 17 November 2004.
2 United Nations, Press Release SC/8371 (see: http://www.un.org).
3 Estimates of the value of the oil and gas reserves of the Timor Sea vary considerably and it is frequently unclear precisely which areas are being referred to. Nevertheless, figures of US$20–30bn are commonplace in media reports.
4 The figure of 250,000 lives lost in East Timor during the Indonesian occupation is frequently but not consistently used. For example, the *CIA World Factbook* (CIA, 2005) gives the estimated figure of 100,000–250,000.
5 See UNMISET's homepage (http://www.un.org/Depts/dpko/missions/unmiset).
6 *The Australian*, 1 July 2004.
7 Australian Broadcasting Corporation (ABC) News Online, 1 March 2005; ABC Radio Australia, 8 April 2005.
8 The author is indebted to I Made Andi Arsana for drafting the map.
9 AFP, citing Portuguese news agency Lusa, 10 March 2005.
10 ABC News Online, 1 March 2005.
11 Statement by H.E. Mr John Dauth LVO, Ambassador and Permanent Representative of Australia, to the United Nations Security Council on the report of the Secretary-General on the United Nations Mission of Support in East Timor, 28 February, 2005. See: www.dfat.gov.au/media/speeches/department/050205_east_timor.html.
12 ABC News Online, 1 March 2005.
13 United Nations, Press Release SC/8371 (see: http://www.un.org).
14 In respect of the Treaty between the Government of Australia and the Government of New Zealand establishing Certain Exclusive Economic Zone and Continental Shelf Boundaries, Background Information, 25 July 2004, see: http://www.foreignminister.gov.au/releases/2004/fa112a_04_bg.html.
15 Relatively minor extended continental shelf delimitations are, however, still required with France in respect of New Caledonia and between Australia's Heard and

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MacDonald Islands and France's Kerguelan Island in the sub-Antarctic, as well as in respect of the Australian Antarctic Territory.

16 Woodside owns 33.4 per cent of Sunrise in partnership with ConocoPhillips (30 per cent), Royal Dutch/Shell Group (26.6 per cent) and Japan's Osaka Gas Co. (10 per cent).

17 *The Australian*, 14 January 2005.

18 Letter to The Honourable John Howard, 5 March 2004 and Howard's response to Congressman Barney Frank, 2 April 2004 (available at: http://www.etan.org/news/2004/03houseltr.htm).

19 *The Economist*, Survey of Australia, 7 May 2005, p. 11.

20 Letter from Bill Paterson, First Assistant Secretary, South and South-East Asia Division, Australian Department of Foreign Affairs and Trade to Andrew Hewett, Executive Director, Oxfam Community Aid Abroad, 4 June 2004. Published by Oxfam at: www.oxfam.org.au/campaigns/easttimor/dfatreplytoreport.pdf.

21 See Australian Government, Department of Defence "Defence Support to Timor-Leste", http://www.defence.gov.au/opspire/. See also UNTAET's homepage, http://www.un.org/peace/etimor/etimor.htm.

22 See Australian Government, Department of Defence "East Timor: Operation Citadel", http://www.defence.gov.au/opcitadel/.

23 AusAID, "East Timor Program Details", http://www.ausaid.gov.au/country/.

24 Antunes (2004, pp. 376–77) estimates East Timor's coastal front in the relevant area, that is, its southern façade, as approximately 148nm. Three estimates of the more complex Australian coastal front onto the relevant area, defined as being bound by the extreme baseline points contributing to the construction of a median line between the opposing coasts, are provided — 462nm, 327nm and 119nm. Antunes argues that the second alternative offered is the appropriate one, but that, in any case, the disparity in coastal length is not of such a disproportionate character as to necessitate a shift in the median line boundary.

25 Bill Patterson, First Assistant Secretary, South and South-East Asia Division, Australian Department of Foreign Affairs and Trade, speaking to ABC radio, 21 July 2004.

26 Letter to The Honourable John Howard, 5 March 2004, available at: http://www.etan.org/news/2004/03houseltr.htm.

27 Letter from John Howard to Congressman Barney Frank, 2 April 2004.

28 BBC News online, www.bbc.co.uk, 19 May 2005.

29 See Ravi Tomar, "The Changing Focus of Australia's Aid Program: Budget 2004–2005", Research Note No. 59, 2003–2004, Parliamentary Library, 31 May 2004, http://www.aph.gov.au/library. This trend was, however, reversed in the May 2005 Australian Federal budget with aid to East Timor rising from A$39.9m to A$42m.

30 See note 18.

31 Comment made at a symposium on "Strategic Directions for Australia and the Law of the Sea" held at the Australian Department of Foreign Affairs and Trade, Canberra, 16 November 2004.

32 AFP, 26 April 2005.

33 See, for example, "East Timor's Unfinished Business", BBC News online, www.bbc.co.uk, 5 November 2004, and "Jakarta Rejects Timor Convictions", BBC News online, 6 August 2004.

34 Comment made at a symposium on "Strategic Directions for Australia and the Law of the Sea" held at the Australian Department of Foreign Affairs and Trade, Canberra, 16 November 2004.

35 *The Age*, 3 November 2004.

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36 Dow Jones Newswire, 1 December 2004.
37 *The Australian*, 14 January 2005.
38 *Sydney Morning Herald*, 28 October 2004.
39 Dow Jones Newswire, 1 December 2004.
40 ABC News Online, 11 March 2005.
41 ABC News Online, 11 March 2005.
42 ABC Radio, 28 April 2005.
43 ABC News Online, 3 May 2005.

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Contemporary Southeast Asia 27, no. 2 (2005): 281–304 ISSN 0219-797X

Trickle-down Hegemony? China's "Peaceful Rise" and Dam Building on the Mekong

ALEX LIEBMAN

Both Chinese government propaganda and a considerable number of Chinese academics have advocated the theory of China's "peaceful rise": as it gains power, China will behave cooperatively, creating opportunities and advantages, not challenges and threats, for the nations of Southeast Asia. This article asks: how can we assess whether China will, in fact, behave in such a manner? After formulating a theory for the types of issues from which we can best infer Chinese tendencies, this article focuses on Chinese actions on the Mekong (Lancang) river. Ultimately, it concludes that Chinese behaviour on the Lancang does not conform to that predicted by the theory of the peaceful rise — China has by and large pursued its own interests without regard for how these actions will affect its downstream neighbours.

Introduction

After its rise, will China display restrained or self-interest maximizing behaviour toward its neighbours? This question is at the heart of the propaganda line that was espoused by the Chinese leadership from 2003 until mid-2004: the theory of China's "peaceful rise" (*heping jueqi*). The government, anxious that smaller states on its periphery will react negatively to growing Chinese economic and military power, built a new line out of old themes, stressing that China's rise will not turn it into an aggressive hegemon who uses its power strictly to maximize its own interests. Instead, all nations will benefit in the "win–win" situation created by the Middle Kingdom's new power. While the actual term "peaceful rise" appears to have been shelved, the basic themes it encompasses have not: China continues to portray

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itself as a status quo power whose increasing stature will not negatively affect those around it. Nor does the apparent disappearance of the term "peaceful rise" itself diminish the importance of the analytical question: namely, how will China act towards its neighbours as it gains more power?

This article asks: how can we know whether Chinese protestations of its "peaceful rise" are more than just empty words? How can we know whether China will help its neighbours, or is actually a wolf in sheep's clothing, luring its neighbours into complacency or working them into relationships in which China is the principal beneficiary ("playing possum", in the words of one China expert)? This article suggests a framework for evaluating Chinese behaviour. Clearly, there is a need to look not only at Chinese words, but also at their actions. But which actions? This essay argues that some issue areas will prove more illuminating about future Chinese behaviour than others. After laying out the framework, it focuses on one under-studied issue in China's multilateral relationship with ASEAN countries: agreements (or lack thereof) to manage the Mekong's water resources. China's relationship with Southeast Asia is chosen principally because some analysts have asserted that China's new multilateral diplomacy and "charm offensive" (see Medeiros and Fravel 2003; Beeson 2003; Stubbs 2002) are succeeding in drawing Southeast Asia into a proto-Chinese sphere of influence. Therefore, the purpose of this article is both to lay out a framework for assessing Chinese actions as well as to call attention to an important issue often below the radar of Western experts on Asian security.

The Theory of the "Peaceful Rise"

From 2003–2004, Chinese government officials, academics, and the press promoted a new propaganda term: China's "peaceful rise". The theory was formulated explicitly to reassure countries, particularly smaller ones on its periphery, that China's increasing economic and military power will not pose a threat to them. Zheng Bijian, the dean of the influential Central Party School, agreed with an interviewer's assessment that "the concept of a 'peaceful rise' initiated by China has forcefully addresses [sic] 'the China threat theory' and the 'China collapse theory' and also allows China's neighbouring countries and various countries in the world to feel more relief".[1] While the term "peaceful rise" itself is apparently no longer in vogue, the basic ideas it encompasses continue to reflect the image China wants to project to its neighbours. Indeed, the "peaceful rise" theory itself was not particularly new, but rather a slightly extended version of Deng Xiaoping's "peace and development" line. The theory has three key points.

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The first point amounts to not much more than a restatement of the standard "peace and development" line. Zheng Bijian writes that China is "both striving for a peaceful international environment in which to develop ... and also to safeguard world peace through China's development".[2] The key problems China faces are domestic, and the answer to these problems is the development of the economy. In order to develop the economy, China requires a peaceful international environment. Finally, and this point seems aimed at reassuring major powers like Japan and the United States, development is not merely an end, but a means by which to preserve peace.

Second, China will never seek hegemony. The word for hegemony in Chinese (*baquan*) has overwhelmingly negative connotations. For the Chinese, hegemony is not an objective description of the international distribution of power; rather it is a description of a certain kind of behaviour. Wang Jisi, an influential Chinese intellectual, has recently argued that in this sense the Chinese conception of hegemony differs from the Western version (Wang 2003). The argument of the peaceful rise theory is that, even if China builds up a large amount of military and economic power (what those in the West might objectively describe as a "hegemony"), China will never use this power in a domineering, aggressive, or dictatorial (the Chinese "hegemonic") way. Zheng Bijian writes that China will not "rely on warfare and aggression ... or group confrontation and expansion to fight for hegemony that has been taken by large countries around the world in modern times".[3] Zheng further cites the historical precedent of countries who sought hegemony (notably Japan and Germany) to argue that such policies only lead to the devastation of the country and failure. This point seems aimed primarily at smaller countries that would have more to fear from a China which sought regional dominance.

Third, the peaceful rise theory argues that increases in Chinese power, far from posing a threat to other countries, actually presents them with a "win–win" opportunity. China has mainly emphasized the potential for trade and economic growth and its willingness to open its door to imports.[4] China, building on its legacy from the Maoist days, has tried to cast itself as the champion of the developing world who cares about the well-being of the people in other countries. This "win–win" theme was reiterated by Wen Jiabao, the Chinese premiere, in his speech at the ASEAN meeting in late 2003.[5] The countries surrounding China, therefore, should welcome increases in China's power because it will allow for mutual gain.

Chu Shulong, the head of the Institute for International Strategy at Tsinghua University, argues that China should take actions to demonstrate its benign intent. These comments provide a useful starting

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point for the next section, which is to determine whether China's actions will match the rhetoric of the peaceful rise:

> In our effort to convince others that China is not a 'threat,' we should not remain at merely talking about this matter, but instead we should do more work, pay some price and sustain some loss. For example, even if we have had a certain amount of military capability, we can hardly use the capacity to solve disputes over territory and territorial waters with other countries; we should provide more aid to other countries and regions, particularly those less developed than China, for their development; we are going to establish 'free trade areas' with ASEAN countries and regions, open our market, expand exports and even take the initiative to give assistance to some of them on preferential terms, so that they can have a share of the benefit from China's rise. These are not merely a matter of wish and writing, but of actual deeds.[6]

Criteria for a Suitable Issue Test

Are such professions of Chinese intentions sincere? When describing their national strategy, the Chinese often use the phrase "hide one's capacities and bide one's time" (*tao guang yang hui*); are the Chinese simply waiting until they have a preponderance of power to reveal their true intentions? Or, even if intentions are pure, will the temptation in the future to gain benefits commensurate with their power simply be irresistible? To attempt an answer, we need a framework through which to evaluate Chinese actions. We need a way to distinguish actions that would confirm the "peaceful rise" theory from behaviour betraying more realpolitik intentions. Which issue areas are most likely to reveal Chinese intentions or tendencies in the future? The best issues to evaluate whether today's words will guide tomorrow's actions are those that satisfy as many of these six criteria as possible.

1) Importance: The issue is of substantial importance to both China and to the Southeast Asian countries.
2) Zero–Sum: The issue cannot be explained away as a "win–win" situation, but rather clearly has significant zero–sum elements.
3) Costs: There is some cost to China for pursuing a friendly and cooperative policy.
4) Power: The other countries in the region have no effective means to block an aggressive or unfriendly Chinese policy on the issue.
5) Central Control: The policy in question is not the result of a province out of central control; Beijing either created the policy or has the power to change it.
6) Irreversibility: Cooperative and friendly actions on the issue impose substantial costs to reverse or change policy at a later date.

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First, is the issue of substantive importance? Obviously, sacrifices on trivial issues are relatively easy to make, or can be rolled into larger deals with other compromises. We need to find an issue of enough importance that it cannot be bargained away or solved by linking with other issues.

Second, the Chinese argue that their rise will create a "win–win" distribution of benefits for Southeast Asian countries. But even in "win–win" situations, one side is likely to get more than another — trade, for example, may be mutually beneficial, but the terms of a trade deal will still be fought over to get as much of the pie as possible. In a dispute over new benefits in which one side gets 99 per cent and the other one per cent, it is unlikely that the side which gets less would characterize the situation as "win–win". To gain insight about how much of the pie the Chinese are likely to claim, we should look at situations that are very explicitly "zero–sum." In these cases, does China make concessions to Southeast Asia, or act selfishly and uncooperatively? This criteria is suggested directly by the quote from Chu Shulong above, who argued that China had to "sustain some loss". Clearly, this is an implicit admission that not all issues are "win–win", or that even in such situations, some win more than others.

Third, if China pays no cost for pursuing a cooperative policy, this is only limited evidence that China really intends its own growth to benefit Southeast Asia. Anyone will take a free good; the relevant question is: if the good wasn't free, would you pay for it? There might be some "zero–sum" situations in which China had no compelling interest and was therefore willing to give a larger piece of the pie to others. But, what about in situations where it must, as Chu writes, "pay some price"? Costs could include: loss of access to resources, loss of domestic legitimacy, or loss of claimed sovereign territory. In this paper I make no attempt to distinguish between different kinds of costs, although it is at least theoretically possible that the Chinese are willing to make sacrifices on some domestic issues but not on others. For now, it is assumed that domestic interests such as continued development, rising living standards, energy security, and legitimacy are all sufficiently important that their partial compromise would be considered a significant cost.

Fourth, the Chinese argue that they will not use their power to "seek hegemony". To test this proposition, we need, essentially, to simulate such a situation. In other words, we need to find an issue on which, for all intents and purposes, China already has the preponderance of power and where the other ASEAN states can do little to change Chinese policy. The Chinese claim that its rise to power will not hurt the interests of the Southeast Asian states; we need an issue which tests

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Chinese willingness to accommodate other interests when they do not have to.

Fifth, the issue has to be one in which Beijing either created the policy or could change it if desired. Obviously, if policies are being pursued by regional leaders outside of central control, they cannot be said to demonstrate national Chinese intentions (although they might say something about Beijing's capabilities).

Finally, we want to choose an issue on which friendly and loss-incurring actions are difficult to reverse later on. There is a large literature on the importance of "credible commitments" — that is, the ability of a state to take actions now which commit it to continuing such actions later — to convince other states of its benign intentions.[7] This suggests that if China incurs short-term losses which could easily be changed later on, we cannot learn much about the true tendencies of Chinese behaviour. If, however, China is making sacrifices which are more difficult to reverse, this can be taken as stronger evidence of cooperative intentions.

There is no way to predict the future with 100 per cent certainty. Rather, it is claimed that those issue areas which more fully satisfy the criteria will provide greater insight into the dynamics of Chinese behaviour than those issue areas which do not.

Why Behaviour on the Mekong is a Good Test

China's interaction with ASEAN encompasses many areas: traditional security concerns, territorial disputes, maritime piracy, counter-terrorism cooperation, and free trade, just to name a few. The problem is that many of these issues are merely symbolic (such as Chinese training of small numbers of police officials),[8] or work towards the provision of public goods (such as piracy-free sea lanes) which benefit all.

One issue that matches the six criteria particularly well — but is often neglected by Western experts on Asian security — is how the countries cooperate (or fail to cooperate) to share the resources of the Mekong river. In investigating China-ASEAN cooperation on this issue, the aim is both to highlight an important multilateral issue as well as to provide a case study for assessing Chinese behaviour that illustrates the framework laid out above. First, the case is made that agreements on how to regulate, control, and share the Mekong river satisfy the six criteria above.

The First Criterion: Substantial Importance

The Mekong, called the Lancang in China, is the largest river system in Southeast Asia and runs through or along the border of six countries —

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China, Myanmar, Thailand, Laos, Cambodia, Vietnam (Dupont 1998, p. 71). While some countries are more dependent on the river than others, all hope to use the Mekong to develop their economies. There are many areas in which the river has exploitable economic potential: water for cropland, particularly rice; fisheries; electricity generation through the use of dams; improved shipping networks to facilitate trade; consumer use in cities; and industrial use. The ASEAN countries have different preferred end uses for the water — Laos wants to use dams to generate electricity for export (Elhance 1999, pp. 200–202), Cambodia wants to secure sustainable fishery resources, Vietnam seeks to ensure the flow of water for its rice crops without salinity rising to dangerous levels,[9] and Thailand wants to ensure consumption for its cities (Dupont 1998, p. 63) but all such projects depend on the continued and constant flow of the river. To give some idea of the dependence of these countries on the river, a full 50 per cent of Vietnamese rice production is located in the Mekong delta and 50 per cent of the protein Cambodians eat (and a large source of employment) comes from their domestically caught fish supply (Elhance 1999, p. 202). If the Mekong were to fail to reach the sea for half the year, as the Yellow River currently does (Ma 2004, pp. 12–15)[10] this would not only impose huge opportunity costs for lost hydro-power and trade, but the immediate economic losses and dislocations in the riparian states would be severe.

As Peter Gleick points out, one reason that water is such a vital resource is that no other substance can substitute for it (Gleick 1993, p. 90). While oil and other forms of energy can (albeit at some cost) replace each other, nothing can be done if freshwater supplies run out.[11] Water is vital to key aspects of national security: human survival, food security, and economic security all depend on water (Elhance 1999, p. 230). Indeed, in certain cases, countries explicitly threaten war if the headwaters of their rivers are interfered with.[12] As Lee Hsien Loong, Singapore's then Deputy Prime Minister, put it in the context of disputes with Malaysia over Singapore's water supply:

> You have seen how water is an item that can be used to pressure us. The bottom line is: water is a strategic resource ... it's not like air, which you have for free. It's not like fuel for buses or cars which you can always import any amount of ... it is something which is limited. When you run out you are up against, if not a brick wall, at least a very, very steep slope (Dupont 2001, p. 69).

The Second Criterion: Not "Win–Win"

Some elements of cooperation on the Mekong benefit everyone. For example, increasing the navigability of the river should lower

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transportation costs, boost trade, and allow producers on both sides of the border to get their goods to market.[13] Similarly, exchange of hydrological information can improve flood preparations.[14] However, most uses of the river — irrigation for cropland, damming the river for hydro energy, industrial use, and end-use consumption, are all zero–sum: if an upstream country uses the water to irrigate its crops or dams the river, it is not available for downstream users: it is likely to leave fisheries unsustainable and downstream agriculture with inadequate irrigation,[15] and increase the risk of floods if dams overflow or break.[16] In the jargon of economics, access to water is a "partially excludable" and "rival" good. As one international lawyer explains: "[water and its benefits] are rival, since any unit of water diverted or polluted by one riparian reduces the amount available to the other riparians or its quality" (Benvenisti 1996, p. 388). Call it "trickle-down" economics: if the water is used heavily by upstream states, it does not trickle to those downstream.

The Third Criterion: China has to Pay a Cost to Cooperate

Just because the issue is zero–sum, however, does not necessarily mean that China has to pay a price to cooperate — it might have an abundance of water from other sources. Indeed, if China had no pressing need for water of its own, the issue would not be particularly significant. Presumably, China would not impede the flow of the river and earn the friendship of the downriver countries at no real cost to itself. But China's own water situation is increasingly bleak.

Some of the most fertile areas of China now face chronic water shortages. While there is some difference of opinion among experts, key statistics indicate that current water use levels are unsustainable; indeed, the Chinese government's decision to build three massive canals connecting the water-abundant south to the drier north indicates their concern (Liu 1998, p. 900). Indications that the water level is beyond sustainable use include: for increasingly long periods each year, the Yellow river is running dry before hitting the sea (Liu 1998, p. 899, Brown and Halweil 1998, pp. 10–18); and old wells are being abandoned and new deeper wells are being built at a rate of about 300,000 per year because the water table is sinking by about 1.5 metres per year (Brown 2001, p. 43). This lack of water can have a devastating impact on irrigated farming, and is already forcing many Chinese farmers to return to far less efficient rain-based agriculture (Brown 2001, p. 44). In addition, the water available to farmers is of increasingly low quality, with higher salt content, reducing yields and damaging the soil (Nickum 1998, p. 889; Ash and Edmonds 1998, p. 860). The result, according to

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the U.S. Department of Agriculture, is that many farmers are already abandoning wheat production due to lack of water (Gale, p. 48). Indeed, the *Economist* recently reported that one village in Hebei province, Shanhou, has seen drastically reduced harvests due to water shortages caused by Beijing's "unquenchable thirst" for water.[17] There are also reports of pseudo-arms races between provinces using cloud seeding guns to induce rainfall; this has sparked recriminations as some localities accuse others of stealing their rainfall.[18]

Water scarcity is being driven by three factors: urbanization, industrialization and continued population growth (Guldin 1997, p. 4). These three trends are likely to continue unabated, and will intensify in the southwest, through which the Lancang runs, as the area starts to develop. Chinese demand for water will only rise.

China not only has an unquenchable thirst for water, but also for electricity. With its massive population and growing economy, China's energy needs are monumental (Smil 1988, p. 5). China still relies heavily on fossil fuels for its energy supply, with a full 70 per cent coming from the dirtiest of the fossil fuels, coal. Even worse, most of this coal is soft, bituminous coal (so called "dirty coal"), and much of it is still burned raw, without being treated or scrubbed to reduce pollution (Smil 1988, p. 205). In 1993 China became a net importer of oil — China is now importing some 100 million tons of crude oil a year, second only to the United States (Downs 2004, p. 21). Hydroelectric power — like the massive Three Gorges Dam project on the Yangtze — is one important component of increasing the supply of clean energy. The Chinese plan to double the amount of hydropower the nation produces by 2010.

In this context, the Mekong's resources are immensely valuable. As early as 1994, Chinese scholars remarked on the enormous energy potential along the Lancang (Ma 1994, pp. 20–25). Since then, countless studies and hundreds of articles — both scholarly and popular — have made the case for developing the Lancang's hydropower resources. Eight dams are to be completed by 2019 (Dore and Yu 2004, p. 19), helping to fill the growing gap between electricity demand and supply. In all, it is estimated that the dams on the Mekong could provide some 20 million kilowatts of electricity (Elhance 1999, p. 197) slightly more than that produced by the Three Gorges Dam project. Further, the water itself will be invaluable to China's "Develop the West" programme's goals in industry, agriculture, and consumption. While no major diversionary plans have been announced (as with the "Southern Water Northern Diversion" from the Yangtze), demand on the water will continue to increase as the population and level of development rise (Elhance 1999, p. 197). For these reasons, there is a major cost for China

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to sign a comprehensive water sharing agreement with the downstream riparian nations.

The Fourth Criterion: Preponderance of Chinese Power

The downstream countries are unable to guarantee the flow of the water without the help of their large northern neighbour in whose territory the river originates. The Mekong river originates in the Tibetan highlands, from where it runs some 2,600 miles until it empties into the South China Sea.[19] While the river is fed by hundreds of tributaries along its route, a full 20 per cent of the river's water comes from China; during the dry season this proportion rises to 50–70 per cent.[20] If China goes ahead with its dam projects (not to mention water diversion for irrigation or industry), it will substantially affect the flow of the river downstream (Elhance 1999, p. 198). This hurts fisheries and irrigation in the downstream countries, as well as preventing them from building their own hydroelectric power dams.

China not only controls a significant portion of the river, but also has the military and economic power to prevent any of the downstream countries from seizing its headwaters (Cambodia could not militarize and take over Yunnan province the way Israel, for example, was able to take over the Golan Heights and thus gain more control over the Jordan) (Gleick 1993, p. 85) One potential future source of leverage that Vietnam might have would be if navigability improvements were made to allow shipping up the river from the South China Sea, Vietnam might in theory be able to prevent Chinese ships from using the river. However, given that Vietnam acknowledges that the river is an international waterway, this would provoke major international recriminations (Elhance 1999, p. 216). Finally, all of the region's rivers flow from China into Southeast Asia — none start in Southeast Asia and flow into China. This means that the Southeast Asian countries have little leverage to cut off China's water supply unless China cooperates. For these reasons, most water experts assert that "China holds all the trump cards".[21] As Khy Tanglim, the Cambodian cabinet minister charged with handling Mekong issues put it: "What can we do? They are upstream. They are a richer country operating in their own sovereign territory. How can we stop them?"[22] The water issue, therefore, also satisfies the fourth criterion: the issue simulates a time in the future when China might hold a preponderance of power and neighbouring states have to depend on Chinese goodwill and cooperation to secure their interests.

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The Fifth Criterion: Is Beijing in Control?

It might be argued that Chinese policies on the Lancang are not, in fact, products of central government policies, but are rather the outgrowth of local development decisions made by provincial leaders. Indeed, there are some direct contacts between provincial leaders in Yunnan with leaders and associations in Southeast Asia. However, dam building remains distinctly under the control of the central leadership. First, since 1996 Beijing has undergone two rounds of energy sector deregulation, which were designed, in part, to encourage increased private investment in energy production. This was one important way to reach the goal of doubling hydroelectric power produced by 2010 (Dore and Yu 2004, pp. 12–13). Indeed, while deregulation was designed to increase energy output, it did not mean that Beijing ceded control over energy development to regional or private interests. Any doubt that Beijing is in control should be dispelled by Wen Jiabao's decision to suspend dam building on the Nu river (also in Yunnan province).[23]

The Sixth Criterion: Is Cooperation Irreversible?

If it turns out that China is making sacrifices as the "peaceful rise" theory would suggest, we need to assess how easy such cooperation would be to reverse in the future. Evaluating Chinese water sharing projects on the Mekong also satisfy this criterion. While no agreement is unbreakable, water-sharing agreements tend to endure. As Arun Elhance puts it: "Hydropolitical cooperation may take a very long time to develop ... however, once achieved, such cooperation tends to endure" (Elhance 1999, p. 235). While my project is not to consider conceptual reasons why water agreements are rarely broken, some explanations might include the fact that they are very difficult to negotiate and sign (in other words difficult cases tend not to be settled in the first place) and the fact that they are relatively easy to monitor (one cannot build a dam secretly). One striking example is that the 1960 Treaty between India and Pakistan to share the water of the Indus has endured despite two wars between the two countries (Elhance 1999, p. 235). Chinese behaviour on water sharing of its own rivers also yields a very positive record. An examination of the Transboundary Freshwater Dispute Database reveals that, where China has chosen cooperation over its international rivers (notably the Amur/Songhua, Har Us Nur, and the Pu Lun T'o), it has not chosen to break it. Indeed, only one event is classified as negative on the "water event intensity scale", and it was

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the most mild category. While this is no guarantee of future Chinese trustworthiness on the Mekong, it does suggest that when and if China makes a water deal, it will abide by it.

What are the Chinese doing on the Mekong?

Chinese officials and media sources all portray China cooperating with the Southeast Asian states on the Mekong. Huang Zhendong, the Minister of Communications, was quoted in *People's Daily*: "The Chinese government has always attached great importance to the development of the Lancang-Mekong River and regards it as a link of friendship for people of the countries along the river".[24] Indeed, some small progress has been made: in November 2002, China signed the Agreement on the Exchange of Hydrological Data in which it agreed to provide daily readings on water levels in the upper Lancang so that downstream countries would have advance warnings for floods.[25] However, such actions do not satisfy the criteria above: while some might claim that the Chinese are divulging a "state secret", China can provide such information at virtually no cost to itself.

Almost every other multilateral Chinese initiative towards the river involves improving navigability to facilitate trade. In a September 2003 Conference sponsored by the Mekong River Commission's Navigation Program in Phnom Penh, a delegation from Yunnan Province led by Wu Zirun, from the Department of Communications of Yunnan Province, laid out its view on improving the Mekong's navigability. Wu stressed a theme very much in accord with the "peaceful rise" theory: that an improved channel for trade would help all the riparian states. He also reaffirmed China's commitment to an Asian Free Trade Area (AFTA), and even offered US$5 million to enlarge the river.[26] Again, however, such proposals do not satisfy the criteria above and certainly do not pass the test that China must "sustain some loss". Indeed, many analysts assert that the principal beneficiary of the improved navigability of the river is China itself, which will have an additional transport link for its exports, particularly from landlocked provinces in the poorer West and Southwest.[27]

More significant are the Chinese actions on uses of the Mekong that are both excludable and rival — activities that use water for one purpose and prevent it from being used for others. On a range of these issues the Chinese have declined to sign agreements to cooperate and continue to proceed with unilateral projects to the detriment of those downstream. Nor have they taken any proactive measures to benefit the riparian states. On these zero–sum issues,

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China is not behaving as a benevolent hegemon; rather, China is using its power to achieve its ends with little consideration for those downstream. While some Chinese scholars of Southeast Asia claim that Chinese actions have yet to spark difficulties downstream,[28] the fact is that droughts are already occurring and Chinese dam building will only add to the problem.

Dam Building and Other Upstream Use

Perhaps of greatest significance, the Chinese have not made any concessions on the pace of dam building on the Lancang. Yunnan Province, and the Lancang in particular, have massive hydropower potential — by some estimates as much as one-quarter of all of China's hydropower potential lie within the province, mostly on the Lancang (Dore and Yu 2004, p. 4). As part of the "Develop the West" programme, Chinese economic planners believe that the Western regions of China can produce energy for sale back to Eastern China, helping both to develop. While most of this energy export will be in the form of coal, a significant percentage will be hydropower (Dore and Yu 2004, pp. 7–9). In this context, the Chinese have launched a fast-paced and extensive dam building programme. While some estimates suggest that the Chinese plan over 50 dams in the province, along the Lancang two dams (at Manwan and Dachaoshan) have already been built; two more (Xiaowan and Jinghong) have begun construction and are expected to be complete by 2010; and four more have been designed (Wang 2004, pp. 39–46). Nor are these small dams: they are the major portion of a drive to double the amount of hydro-energy production in China by 2010, or the equivalent of constructing another four Three Gorges Dams by that time (Dore and Yu 2004, p. 4). The Xiaowan dam, scheduled for completion in 2010, will be second in size only to the Three Gorges Dam (Dore and Yu 2004, p. 19). One Chinese scholar, in an effort to increase the pace of dam building, has proposed putting the profits from the dam at Manwan towards the construction of the dam at Xiaowan and other dam projects (Yang 2002, pp. 12–14).

The impact of these dams on the downstream riparian states is obvious and has already begun to take its toll. The clearest effect is that the amount of water available to the downstream states is greatly reduced. Starting in January to at least March of 2004, the Mekong reached record-low flows in the downstream riparian states. One Thai marine policeman said that "this year we can walk across the river to Laos".[29] This is already having a significant economic impact. One Oxfam representative, referring to the Cambodian fish catch this year,

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said, "the river is more or less dead. The fish cannot spawn when it's dry".[30] The giant catfish, called *paa beuk* in Khmer, on which literally millions depend for their livelihood and food supply, has now been moved from "endangered" to "critically endangered".[31] Dams have other deleterious effects. Because they accumulate silt and sediment, they prevent critical nutrients from being carried downstream, where they fertilize the soil and provide food for fish. In addition, dams make the flow of the river far less predictable, and this past year record fluctuations have been observed. This not only makes life more dangerous for those downstream, but also makes them afraid to plant vegetables for fear they will be flooded.[32] Indeed, the situation has become so serious that the Mekong River Commission called an emergency meeting and then sent an "official letter to China demanding information about the operation of its dams".[33] Finally, while in the best of times dams may prevent flooding downstream, if they burst, dams can kill astonishingly high numbers of people. In 1975, some 230,000 people are estimated to have been killed in dam failures in China (De Villiers 2000, p. 129). The fact that China has the highest rate of dam failure in the world (six times the global average), is probably not very reassuring to those downstream.[34]

For their part, the Chinese have made no concessions to stop building the Xiaowan dam or the next five dams that have been designed along the Lancang. While the low water levels earlier this year may only be partly attributable to Chinese dams, there is no question that the dams are exerting other negative impacts (e.g., prevention of sediment from flowing with the river), and it is clear that the effects of the next five dams will intensify this impact.[35] Indeed, the Chinese dams are starting to become, if not a bilateral issue, then at least a political football. In December 2003, the Chinese ambassador in Bangkok was petitioned by some 80 NGOs protesting the dams (Dore and Yu 2004, p. 18), and recent editorial cartoons in Thai publications have featured a "Great Wall" in China holding back huge amounts of water while an impoverished Thai peasant can only create a trickle with his tears.[36] While dams have been the main source of anger in Southeast Asia, other planned upstream uses — including irrigation, industrial use, and consumption — also threaten downstream water supplies.

China has given no indication that it will consult with those downstream on such projects.[37] Instead, some Chinese have argued that its dams do not pose a threat to those downstream. Chinese scholars, pointing out that only 20 per cent of the Mekong's waters originate in China, claim that the dams can have a beneficial effect for flood

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prevention and releasing reservoir water during the dry season can relieve droughts (Lu et al. 2004, pp. 96–100). But these protestations are unlikely to convince those in Southeast Asia who suffered through a record drought — China's two already existing dams failed to alleviate the problem. Indeed, many other Chinese scholars have argued just the reverse — that the downstream (and local) economic and environmental consequences of the dams will be severe (Wang 1994, pp. 4–5). One Chinese scholar refutes the claim that upstream dams will not hurt the downstream countries: "The naïve conclusion that the cascade will not 'sharpen the conflict' between upstream and downstream users is completely wrong."[38] Such scholars argue that the pace of dam building should be slowed to allow further research and impact assessment. Most significant, claims that the dams benefit those downstream belie Chinese actions — if the dams truly are beneficial to those in Southeast Asia, why would China decline to join region-wide river forums? Indeed, as the pace of news reports of downstream economic loss due to Chinese dam building increases, China will have to acknowledge the harm the dams are doing in its bilateral and multilateral relations with Southeast Asia.

Failure to Sign International Conventions or Join the Mekong River Commission

In 1997, the UN General Assembly adopted the Convention on the Law of Non-Navigational Uses of International Water Courses. One hundred and three countries voted for the Convention, and only three against — one of which was China (Elhance 1999, p. 246). The Chinese representative, Gao Feng, claimed that the text did not "reflect the principle of the territorial sovereignty of a watercourse State. Such a State had indisputable sovereignty over a watercourse which flowed through its territory."[39] Indeed, the convention would have committed China to, among other things, take into account "the effects of the use or uses of the watercourse on other watercourse states"; to "take all appropriate measures to prevent the causing of significant harm to other watercourse States"; as well as commitment to settle any disputes peacefully (Gao Feng did reaffirm verbally that China would settle any dispute peacefully).[40]

While China has emphasized its sharing of technical data with downstream countries, Beijing has consistently refused to join the Mekong River Commission (MRC), an international NGO which includes Vietnam, Cambodia, Thailand, and Laos as members. In 1995, those four countries created the MRC in the "Agreement on the Cooperation

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for the Sustainable Development of the Mekong River Basin", which, in its statement of principles, called for "peaceful resolution of disputes; freedom of navigation; reasonable and equitable utilization of Mekong waters; state responsibility for injurious activities; and environmental integrity of the Mekong River including maintenance of its natural flows".[41] Dr Ian Campbell, a senior environmentalist with the MRC, said that "China can join anytime they like but we have no indication they will do so. China would be an important member".[42] Even more modestly, China has not agreed to, as some Chinese NGOs have urged it to, cooperate with the downstream states on environmental impact assessments for its projects. Needless to say, they have not signed any comprehensive water sharing agreement (although this is unsurprising given that neither have the lower riparian states).[43]

What a "Peaceful Rise" China Might Do

In its actions on the Mekong, has China sustained any loss or been willing to pay a price, either out of concern for its reputation or because it genuinely wants to help the countries in Southeast Asia? The above review of Chinese actions reveals that the answer is no. This becomes particularly clear when one considers alternative actions China could be taking. China could join the Mekong River Commission; China could consult with the downstream riparian states on economic and environmental assessments of its dams; China could even become visionary and lead a multilateral effort to put a water-sharing agreement into place. To share the benefits generated by Chinese demand for electricity, China might even be willing to forego one of its own dams to help build one in Laos (which has sites better suited for hydro-power projects) and then buy back the electricity as an import. But China has taken none of these steps; preferring instead to proceed unilaterally on its own portion of the river and cooperate only on issues (notably navigation and trade) which will be of benefit to it.

Comparisons with Other Riparian Powers

How do Chinese actions along the Mekong compare to actions that other states in similar situations have taken? While this is not the place for a full-scale comparative study, a brief look at how other countries have acted in similar situations can provide an assessment of whether or not the "peaceful rise" theory has actually led to uniquely cooperative policy decisions. A preliminary review of the secondary literature on other water disputes indicates that Chinese actions almost exactly

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mirror — or are even less cooperative than — those taken by other powerful upstream riparian states.

To find an appropriate comparison, we need to look for an international waterway which matches the Mekong-Lancang in three key ways: first, the river's headwaters must be controlled by a country significantly more powerful than the downstream riparian states; second, the river is a vital economic asset for all the countries involved; third, the river is suitable for damming and other upstream use which hurts those downstream. Using these criteria we can eliminate several of the world's rivers. The Nile, for example, has its headwaters located in states (Sudan) which are much weaker than the downstream states (Egypt); the Amazon's headwaters are located in a weaker state (Peru) and, due to a lack of falls, is unsuitable for damming. The river system most similar (in terms of these three criteria) to that of the Mekong is the Euphrates-Tigris river system.

The headwaters of the Euphrates and Tigris rivers both lie in Turkey, and the rivers then flow through Syria and Iraq before joining together near Basra and emptying into the Persian Gulf (Elhance 1999, p. 124). Turkey is more populous and more militarily powerful than either of its downstream neighbours; while both Syria and Iraq can cause trouble to Turkey in various ways (including inciting Kurdish irredentists within Turkey), they have little military means to change Turkish policy towards these rivers (Lorenz and Erickson 1999, pp. 21–22). Both rivers, particularly the Euphrates, are suitable for dam building (Turkey built the massive Ataturk dam in 1991 to irrigate land in the poorer southwestern part of the country) (Carkoglu and Eder 2001, p. 237). Finally, the rivers are economically vital for the downstream countries, particularly Iraq, which has no other major sources of freshwater. All of Iraq's major cities — Baghdad, Mosul, and Basra — lie on one of the two rivers, and Iraqi water consumption, waste disposal systems, agriculture, and industry all depend on access to the water. Further, as Iraq's population grows in the next decades, demand on the water will only increase (Elhance 1999, pp. 132–33).

Turkish policy towards the rivers looks remarkably like Chinese actions on the Mekong. Turkey's GAP project to develop the southwest, despite some doubts about how quickly it can be completed, features plans for 22 dams along the two rivers (Elhance 1999, p. 149). Like China, Turkey is one of three countries not to have signed the 1997 Convention on the Law of non-Navigational Uses of International Watercourses (Lorenz and Erickson 1999, p. 32), and continues to argue against heavy Syrian and Iraqi protests against more dam building that how it uses the water in its territory is a matter of national sovereignty

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(Elhance 1999, p. 144). To be sure, there is some evidence of Turkish cooperation. When filling the Ataturk dam, Turkey did release more water down the river to satisfy Iraqi and Syrian demands (Carkoglu and Eder 2001, p. 245); it has signed a deal to guarantee certain minimum flows to Syria; (Carkoglu and Eder 2001, p. 239) and it has proposed "peace pipelines" to carry freshwater to the most parched countries in the Middle East, although for a variety of reasons this project has never gotten off the ground (Elhance 1999, p. 150). In short, Chinese actions on the Mekong look awfully like Turkish policy towards the Tigris and Euphrates: a large dose of power politics with a small amount of limited cooperation. If one were to present the two cases empirically and then ask: which of these two countries is acting according to a theory of a "peaceful rise"?, there would be no way to answer.

Interestingly, Indian actions towards Bangladesh on the Ganges may be the most cooperative of any of the three countries (India's behaviour on water issues is generally considered to be highly uncooperative). While the situations are not exactly analogous — India is both a downstream (of Nepal) and upstream (of Bangladesh) country on the Ganges — India and Bangladesh did sign the Ganges Water Treaty in 1996, which is a relatively comprehensive water sharing agreement (Elhance 1999, p. 179). In comparative perspective, then, Chinese policy towards the Mekong does not seem any more friendly or cooperative than other similarly situated countries who have not put forward "peaceful rise" theories.

This is in no way to suggest that China should be held to a higher standard than any other powerful riparian state. Quite the opposite, the point here is that Chinese behaviour looks strikingly similar to that of other nations in a similar position. However, this belies the Chinese claim that its own rise will not mirror that of other powerful nations; on the contrary, it appears that Chinese behaviour actually matches that of other countries whose relations with downstream neighbours have been quite tense.

Conclusion

Inferring future Chinese behaviour from current actions is a difficult and fraught task. On many issues, it is unclear whether China has taken a certain action because it believes it to be in its best interest (or for a concession on a separate issue), or because it genuinely strives to help its neighbours. Often, international cooperation can legitimately provide for mutual gain ("win–win"), which also makes assessing intentions difficult. For this reason, the argument is made that it is useful to look for issues which are zero–sum, on which China would have to pay a price to cooperate, and on which the Chinese have the preponderance

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of power. It is argued that water-sharing agreements on the Mekong are just such an issue.

It would, of course, be naïve to reach firm conclusions about Chinese intentions 20 years from now based on how they decide to share the Mekong today. But Chinese behaviour on the issue can provide insight into the kinds of tradeoffs the Chinese are or are not likely to make. It suggests that where key domestic interests (in this case production of energy and development) are at stake, on which "win–win" arrangements are not really practical, and on which other countries have little means to influence China, the Chinese will not be willing to pay a price to improve relations with its southern neighbours. It suggests that ASEAN countries, if they aren't already, should take protestations of a "peaceful rise" — or whatever new name the Chinese come up with for these ideas — with a grain of salt. This is not to accuse China of poor international behaviour — China is acting very much as other states would and do act in the same situation. Rather, it is to suggest that its actions have not matched the high standards set by its own words, and they have not represented a "credible commitment" to benign actions in the future.

This does not imply that China will forego cooperation on other issues. Indeed, in areas where there is room for mutual gain, we can probably expect a country that acts rationally and in its self-interest to cooperate (as opposed, let's say, to working to subvert regional governments and replace them with Communist or ethnically-Chinese dominated regimes). They may even become integral in providing regional public goods, such as pirate-free shipping channels or open trade routes. But even on "win–win" issues, there is still a question of who gets how much, and the analysis in this paper suggests that the Chinese will not make concessions disproportionate with its power.

Finally, a different way to conceptualize Chinese actions on the Mekong is to consider not only what they have done to date, but also to consider future Chinese actions on the river as an indicator for wider policy decisions towards Southeast Asia. As populations continue to grow, economies continue to develop, and dams continue to be built, water shortages and disputes are only likely to become more severe. If China shows willingness to take some of the friendlier actions specified above, China might be acting more as the "peaceful rise" theory would suggest. To be sure, such an indicator is not perfect. For example, some in China have called attention to the domestic harm created by huge dams (notably resettlement of people, loss of cropland), and so changed policies might be the result of a changed domestic, not international, calculus. Still, a closer look at such policies would be warranted — they might very well be an early sign that Chinese behaviour towards its neighbours was undergoing a significant shift.[44]

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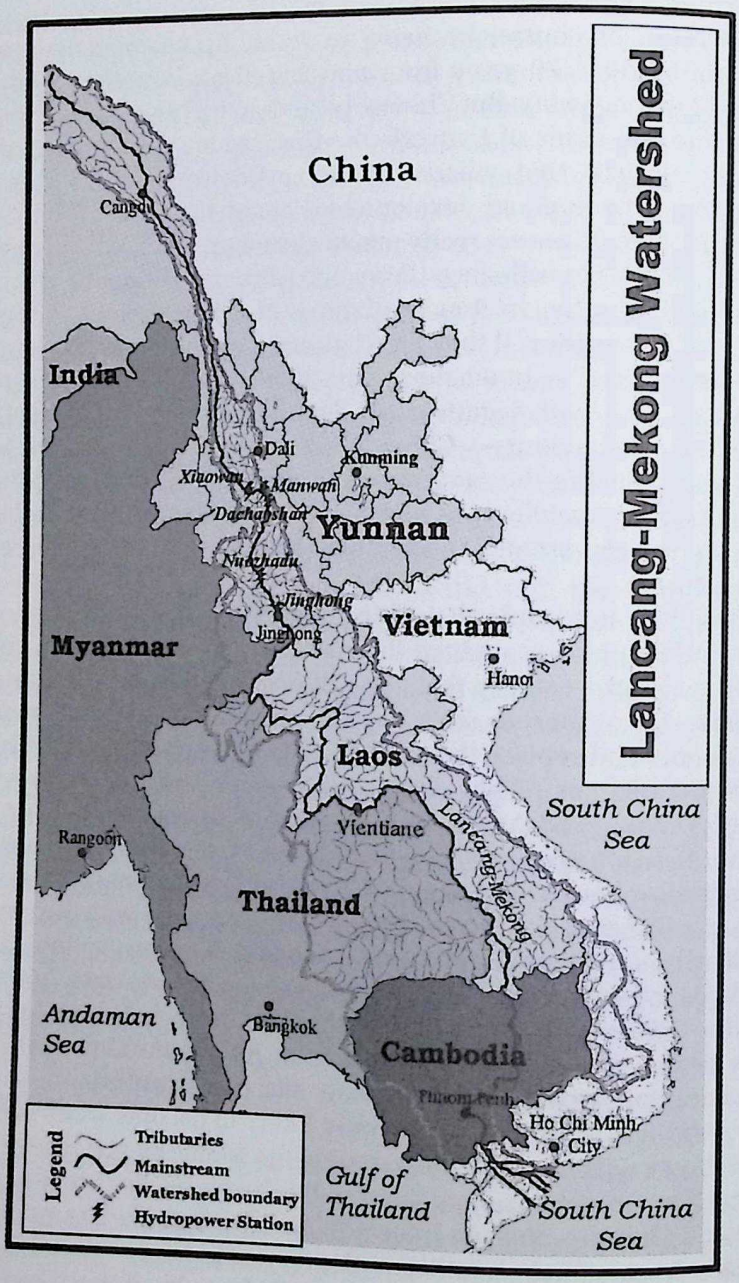
Map of Lancang/Mekong, including dam sites in China



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NOTES

1 "Heping Jueqi: Zhongguo Tese Shehui Zhuyi de Yige Ji Zhongyao de 'Zhongguo Tese' ", [Peaceful Rise: An Extremely Important 'Chinese Characteristic' of Socialism with Chinese Characteristics], *Xuexi Shibao* [Study Times], 14 June 2004. http://www.studytimes.com.cn/chinese/zhuanti/xxsb/585966.htm.

2 Ibid.

3 Ibid.

4 Willy Lam Wo-Lap. "China Aiming for 'Peaceful Rise' ". CNN, 6 February 2004, http://www.cnn.com/2004/WORLD/asiapcf/02/02/willy.column/.

5 As of 30 July, Wen's speech was available at http://www.aseansec.org/93_2786.htm. As of 2 August 2004, the speech was no longer available on ASEAN's website.

6 "What to do after Becoming a Big Power", *People's Daily Online*, 26 June 2004. http://english.peopledaily.com.cn/200406/26/eng20040626_147622.html.

7 See, for example, Robert Powell, *In the Shadow of Power* (Princeton: Princeton University Press, 1995), chapter 4.

8 Jiang Zhuqing, "China, ASEAN Fight Transnational Crime", *People's Daily*, 5 July 2004, http://www.chinadaily.com.cn/english/doc/2004-07/05/content_345391.htm.

9 "Mekong River Basin", *The Water Page*, http://www.thewaterpage.com/mekong_river.htm.

10 The Yellow River first failed to reach the sea in 1972; by 1995 the dry area of the river reached an amazing 700 km. Extensive Chinese dam building on the upper portions of the Yellow River suggests that arguments that dam building on the Lancang will not affect downward flow should be carefully scrutinized.

11 While technology may eventually alleviate our dependence on freshwater (genetically modified crops or cost-effective desalination plants), neither of these options will be available for a significant amount of time.

12 Notably Egypt, which has repeated warnings that it will declare war if upstream countries excessively divert the Nile.

13 Wu Zirun, "Chinese Visions for Lancang-Mekong Navigation", 3 September 2003, http://www.mrcmekong.org/programmes/navigation/Navigation_proceeding_1/web/slide/Chinese%20delegation.pdf/.

14 "Working Together on Flood Management", Mekong River Commission Annual Report, 2003, www.mrcmekong.org/annual_report/ar12.htm.

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17 "China: An Unquenchable Thirst", *The Economist*, 17 June 2004.

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36 England, "Big Brother, Little Cousins", op. cit.
37 Willy Lam Wo-Lap. "China Aiming for 'Peaceful Rise' ", op. cit.
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39 "United Nations General Assembly Press Release GA/9248", *The Water Page*, http://www.thewaterpage.com/UNPressWater.htm.
40 Full text of the Convention can be found at http://www.un.org/law/ilc/texts/nonnav.htm.
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43 "Comment on the 1995 Mekong Water Agreement", op. cit.
44 I would like to thank Phil Saunders and Bud Cole for their help and encouragement in writing this article. The views expressed in this article are, of course, strictly those of the author.

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Contemporary Southeast Asia 27, no. 2 (2005): 305–22 ISSN 0219-797X

Southeast Asia and China: Balancing or Bandwagoning?

DENNY ROY

Southeast Asian states as a group employ two general strategies to protect themselves against domination by a strong China: engagement and hedging. The hedging includes maintaining a modest level of defence cooperation with the United States, which may be called low-intensity balancing against China. This is most clear in the cases of the Philippines and Singapore, and more subtle in the cases of Vietnam, Malaysia and Indonesia. Thailand appears to practice simple hedging, while Myanmar has no alternative to cooperation with China. The region bandwagons with China only to the extent that it desires trade with China and seeks to avoid the costs of alienating the region's rising great power. These findings suggest the region is far from passive, the United States is still a relevant player, and acceptance of China is premised on Beijing's adherence to the promises made in its recent diplomatic campaign.

Introduction

There is little doubt that China is rising to a level of unmatched prominence in the Asia-Pacific region. How other states in the region are reacting to the growth of Chinese power, however, is a matter of some debate.[1] In theory, two of the common responses of smaller states in the shadow of a potentially dominant or threatening power are balancing and bandwagoning. Some observers see a pattern of bandwagoning with China (Kang 2003, p. 58). Others believe the stronger tendency is for Asian states to balance against China (Acharya 2003,

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pp. 150–52). For students of Southeast Asian politics, this is an important question with huge consequences for the future of international relations in the region. This article will explore this question, arguing that, while hedging and engagement are the principal Southeast Asian strategies toward China, the hedging involves a significant component of what may be termed "low-intensity balancing" with the United States against China along with efforts to maintain a working relationship with Beijing.

Terms of Analysis

The range of policy choices for small and medium-sized states facing a potential regional hegemon is broader than balancing and bandwagoning (Schweller 1999, pp. 7–16). Southeast Asian states in fact employ a mix of elements from four strategies. One of these strategies, the most general, is hedging, which means keeping open more than one strategic option against the possibility of a future security threat. A second strategy is engagement, whereby a state uses inclusion and rewards to attempt to socialize a dissatisfied power into accepting the rules and institutions of the pre-existing international order.

Balancing and bandwagoning are the remaining two strategies. A state balances against a perceived potential adversary either internally, by shifting resource allocations to strengthen its defensive capability, or externally, by cooperating with another state that fears the same potential adversary. (This article will focus on external balancing.) Balancing may involve different levels of intensity. In the case of low-intensity balancing, the balancing state attempts to maintain a constructive relationship with the targeted state. In the case of high-intensity balancing, the relationship between the balancing state and the targeted state is more openly adverserial, and many forms of cooperation between them are precluded by political tensions.

It is important to clarify the relationship between hedging and balancing. This writer has classed both hedging and balancing as strategies against hegemonic domination, but hedging is a general strategy that may or may not include balancing. Balancing is one but not the only strategy a government may employ to keep open a future strategic option. Similarly, some balancing, but not all, is motivated by a desire to keep open a future option in case it is needed. Hedging implies a present condition of strategic uncertainty. Balancing is sometimes the response, for example, to a certain and compelling threat, in which case hedging is not involved.

"Bandwagoning" has at least two distinct definitions in the international relations literature. The first is aligning with a threatening

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country to avoid being attacked by it (Walt 1987, p. 17). The second understanding of bandwagoning is "being on the winning side" in the hope of realizing economic gains (Schweller 1994, pp. 72–107).

An assessment of whether or not Southeast Asian states are bandwagoning with China essentially hangs on which of these two definitions is employed. Under the first definition of aligning with a threatening state to avoid being attacked, no states in Southeast Asia are bandwagoning with China. The conditions implied by this interpretation of bandwagoning are simply not present. China is not behaving aggressively toward any states in Southeast Asia; quite the contrary, Beijing's recent diplomacy aims to reduce tensions with China's neighbours, inspire confidence that China upholds the values of peaceful negotiation, multilateralism, and respect for sovereignty that ASEAN extols, and convince Asia that "China will never seek hegemony", as Chinese leaders have proclaimed on countless occasions (Medeiros and Fravel 2003; Shambaugh 2004/05). Even the South China Sea front is relatively calm, and in any case this issue has never generated bandwagoning with the PRC.

The second definition of bandwagoning as "being on the winning side" would seem to include any case of a state making an effort to establish or maintain a favourable relationship with a strong country out of respect for the latter's power and influence, in the hope that this relationship will open the door to future economic opportunities. By this definition, all the countries of Southeast Asia are bandwagoning with China to some degree. The entire region recognizes that China is an increasingly important political player and the potential economic powerhouse of Asia, and every government prefers to avoid the opportunity costs of antagonizing Beijing if possible.

This second interpretation of bandwagoning as profit-seeking is broad and divorced from security considerations, allowing for bandwagoning to be equated with economic cooperation. David Kang takes this approach, citing economic ties as the main evidence to support his contention that Asian countries are bandwagoning with China (Kang 2003, pp. 58, 69, 80, 81). The weakness of this definition of bandwagoning hereby becomes apparent: it says nothing about political alignment or security considerations, unlike the first definition. Economic cooperation is not predicated upon political alignment with China (Acharya 2003, p. 152). Indeed, a strong trading relationship may exist amidst significant bilateral political tensions, and will not necessarily prevent the outbreak of military conflict. Trade and investment may even be a strategy for undermining or, in the extreme case, facilitating the overthrow of a hostile government. Used in this

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sense, bandwagoning becomes a synonym for economic engagement and loses the relevance in a strategic analysis that the notion of bandwagoning-for-survival retains.

Region-wide Tendencies

Each state in Southeast Asia has unique characteristics that bear on its policy toward China. Nevertheless, it is possible to make a few generalizations about the region as a whole. The principal foreign policy of Southeast Asian states is to preserve their autonomy and sovereignty. They seek to keep larger outside countries from using their relative military strength or political influence to dominate regional affairs or to undermine the freedom of action of the region's individual states. This fundamental goal is comparable in importance with the desires for peace and prosperity (Chung 2004, p. 35). The key ASEAN documents, including the Bangkok Declaration of August 1967, the November 1971 Zone of Peace, Freedom and Neutrality Declaration (ZOPFAN), and the February 1976 Treaty of Amity and Cooperation in Southeast Asia (TAC), are replete with denunciations of interference in the region by external powers.[2]

Southeast Asia has particular fears of China stemming from geography and historical experience. China's sheer size and proximity, the longevity of Chinese civilization, the tributary relationship of antiquity, and the presence of disproportionately wealthy ethnic Chinese communities have all contributed to fears of China dominating the region. The PRC's economic development and military modernization raise the possibility that for the first time in the modern era, China will soon have the wherewithal to impose its agenda upon the region. Some Southeast Asian observers see in Beijing's threat to use force against Taiwan a harbinger of how China may deal with future disputes involving Southeast Asian states. The region took note of China's disturbing show of force aimed at Taiwan in 1995–96. More recently, Hu Jintao's expansion of the Central Military Commission to 11 members, including the chiefs of the PLA Navy and Air Force, suggested to some analysts that power projection will be a more prominent feature of future Chinese military planning (Montaperto 2004, pp. 79–80).

The Chinese recognize these fears and have tried to address them. Beijing began publishing Defence White Papers in response to criticism that the PRC military lacked transparency. In November 2004 China served as host of the ARF Security Policy Conference for the first time, illustrating how China has moved from suspicion about multilateralism to a willingness to discuss even high politics issues multilaterally.

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Even more important in this regard has been China's recent approach to the dispute between Beijing and several other Asian governments over ownership of islands and other island-like features in the South China Sea. Many Southeast Asian observers have seen this dispute as a litmus test for a newly-strong China's relations with its smaller neighbours — whether China would use its formidable military power to attempt to intimidate the other claimants, or settle the matter peacefully through good-faith negotiations. The 1995 Mischief Reef incident did much to heighten the sensitivity and significance of the South China Sea dispute. In early 1995, the Philippines discovered China had built military structures on Mischief Reef, one of the Spratly Islands over which Manila claims ownership. During the March 1995 China-ASEAN meeting, the ASEAN countries united in their opposition to China's Mischief Reef actions. Alarmed by ASEAN's hardening attitude, Beijing soon announced that China would thenceforth base its South China Sea claims on the United Nations Convention on the Law of the Sea. Since 1998 Beijing's actions evince a shift for the time being to a minimalist strategy of maintaining the Chinese claim while avoiding further provocation over the issue. China won substantial favour from ASEAN by signing the Declaration on the Conduct of Parties in the South China Sea (DOC) in 2002. The DOC, designed to be a precursor to a stronger Code of Conduct, is short on specifics, but it has at least laid down the principle that claimants will refrain from occupying disputed South China Sea features that are presently unoccupied.

China earned more goodwill in the region by acceding to the ASEAN TAC in 2003. China and India were the first two states outside Southeast Asia to join. Beijing earned points for regional citizenship during the 1997 Asian financial crisis. China offered contributions to the International Monetary Fund's Southeast Asia recovery programme and to individual governments. The conventional wisdom was that despite the gains it could have made by beggaring its neighbours, Beijing refrained from devaluing its currency.

Southeast Asia is the main target audience for the "New Security Concept (NSC)", which Chinese officials formally introduced at a 1997 ASEAN meeting. The NSC sets out China's vision for organizing international relations in the post-Cold War era. It emphasizes cooperative security, multilateral dialogue, confidence-building measures, and peaceful resolution of international disputes. The NSC aims to undermine support for containing or resisting China by asserting that China's intensions are benign and that the values and norms Beijing seeks to promote are consistent with ASEAN's. The NSC also denigrates key U.S. alliances with Asia-Pacific countries as part of a backward-looking "Cold War mentality" (Roy 2003, pp. 1–6).

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Chinese diplomacy has succeeded to the point where most Southeast Asians seem persuaded that China does not pose an immediate security threat. Beijing has not, however, dispelled all suspicions that the PRC as a great power could in the future try to dominate the region in contravention of what Beijing now claims. Not only is the proclivity to seek domination typical of great powers generally, but China has a history of aspiring to leadership in the region. Thus Southeast Asian governments must prepare for the possibility that a strong China will demand special privileges and threaten the autonomy of smaller states.

Southeast Asian governments employ two general strategies to head off possible Chinese domination. The first is hedging by establishing links with other large outside powers as counterweights to Chinese influence. ASEAN has sought ties with not only the United States, but also Japan, Russia and India. The Five Power Defence Arrangements (FPDA) link the region with the United Kingdom, Australia and New Zealand. As an extension of this general approach of hedging by bringing in multiple great powers to check each other, several Southeast Asian governments practice low-intensity balancing with the United States against China. Characteristic of this "soft balancing" is encouraging the United States to maintain a military presence in the region, but declining to establish a formal military alliance (Khong 2004, pp. 172–208). The sub-region exhibits some internal balancing as well; recent military strengthening by some Southeast Asian countries is partly in reaction to China's improved power projection capabilities (Bi 1999, p. 14).

Engagement is the other strategy Southeast Asia employs to avoid possible Chinese domination. Both ASEAN as an organization and individual Southeast Asian states practice engagement. This involves encouraging Chinese participation in multilateral organizations and international dialogue and agreements. Engagement rests on the assumption that including China in regional activities will reduce tensions and bring about political convergence in two ways. First, China will develop a sense of partnership with ASEAN. Instead of feeling excluded from the benefits the region has to offer, the Chinese will develop a stake in the mechanisms that facilitate a sharing of these benefits. Second, through participation the Chinese will be socialized into "the ASEAN way", concluding that consultation, consensus and cooperation are a more efficient means to pursue their agenda than confrontation and intimidation. ASEAN has undertaken numerous efforts to attempt to "enmesh" China by making the PRC a dialogue partner and by forming additional organizations such as the ASEAN Regional Forum, ASEAN + 3 (China, Japan and South Korea),

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and the Chiang Mai Initiative, which creates a financial safety net for participating governments, including China. China's willingness to participate in these groupings and to make statements such as the NSC convince many observers that the engagement strategy is working as intended.

The engagement strategy explains China success in economically penetrating the region so thoroughly and quickly. China-Southeast Asia trade has already reached US$100 billion annually and is growing by at least 25 per cent per year. The pace of this expansion will increase with the implementation of a China-ASEAN free trade area (FTA), a Chinese initiative, in 2010 (2015 for ASEAN's weaker economies). The FTA will lower tariffs to 5 per cent, giving the Chinese even larger market shares for many of their exports.

Clearly, ASEAN has rejected an approach of resisting or even slowing down the Chinese economic onslaught, and this despite the dangers posed to Southeast Asian economies. The relationship between the Chinese economy and ASEAN's economies is largely competitive rather than complementary. Further opening the sub-region to Chinese competition will doom many Southeast Asian businesses. As a lower-cost supplier of many of the goods Southeast Asian countries produce, China will fill an increasing number of the market niches upon which Southeast Asian firms rely. The prospects are better for the region's better-developed economies, but until wages in China rise enough to make Chinese goods less competitive, producers in the less developed ASEAN economies will suffer losses when the barriers to Chinese exports are lowered.

If expanded trade with China is not necessarily advantageous to Southeast Asia in purely economic terms, the explanation lies in the security dividend ASEAN expects. The governments of Southeast Asia evidently see the risk of overall economic loss as an investment in their political future. According to thinking that supports an engagement strategy, ensuring that the present regional order is beneficial to China will help China accept the current rules, including respect for the autonomy of its smaller neighbours.

In sum, most of the states of Southeast Asia practice what could be termed a hedging strategy in that they prefer not to antagonize any of the external great powers unless one poses a direct threat to a vital interest. In particular, they seek favourable working relations with both China and the United States, the two strong outsiders that might in the future vie for a position of leadership in the region. The region as a whole also generally sees engagement of China as a more fruitful method of gaining Chinese support for the rules of international

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interaction favoured by ASEAN than taking a defensive or exclusive posture, which might prompt Beijing to work toward supplanting the system.

Variations on Common Themes

Within these generalities, the individual states of the region have their own distinct ways of responding to Chinese power.

Thailand would seem to practice a classic hedging strategy, trying to maintain good relations with both China and the United States simultaneously. Many Thais view the United States as a relatively benign major power that lacks an interest in controlling territory in the region. America is also a desirable arms supplier. International conditions, however, have dictated a close Thai relationship with the PRC. With the U.S. withdrawal from Indochina, soon followed by the Vietnamese invasion of Cambodia in 1978, Thailand found strategic common ground with China in their desire to check Vietnam. More recently, China's economic takeoff has seen bilateral economic cooperation established as the main basis of Sino-Thai relations. Thailand's government has accommodated China by criticizing Taiwan and by being less than welcoming to the Dalai Lama and Falun Gong. Washington and Prime Minister Thaksin Shinawatra's government have exchanged sharp words over Thaksin's heavy-handed crackdown on criminals and separatists. On the other hand, Thailand maintains enough of a defence relationship with the United States to qualify as a "major non-NATO ally". Thailand obtains most of its arms supplies from America and regularly conducts exercises with the U.S. military. These ties keep open a strategic option should China become a problem in the future.

Thailand's Iraq War policy was perhaps illustrative of Bangkok's desire to please everyone — China, the United States, and its own population, particularly the Muslim south. Bangkok allowed U.S. forces to use Thai air bases and ports during the post-9/11 campaigns in Afghanistan and Iraq. Thailand first refused to support the invasion of Iraq, then sent troops after the end of major hostilities, and then withdrew its troops sooner than Washington wished.

According to my definition, balancing requires a perception of threat. This perceived threat may be low at a particular time, in which case low-intensity balancing would be an appropriate policy response. Hedging, on the other hand, involves positioning against the possible emergence of a threat in the future. The difference between simple hedging and low-intensity balancing depends on the determination of whether a government's policy is based on a perceived potential future

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threat or a low-level present threat. In practice, this may be a grey area. This writer's classification of Thai behaviour as hedging stems from the conclusion that while Thais are not completely free of suspicions about the possible consequences of a strong China (hence the need for hedging), the current sense of perceived threat appears to be minimal. Aside from Chinese support for Burma, Thailand's chief security concern, Thailand has no major strategic disputes with China. Thailand's political and military elites are mostly assimilated ethnic Chinese Thais, softening the ethnic/civilizational divide that can potentially raise tensions between states.

A high-intensity balancing strategy, usually seen as an act of open hostility, would greatly reduce the possibility of a stable working relationship between the balancing states and the target state. A target state may, however, allow a basically cordial relationship including economic and other forms of cooperation with a state practicing low-intensity balancing. Such a case is even more likely if the balancing state offers assurances to the target state.

In several cases in Southeast Asia, hedging involves low-level balancing with the United States against China combined with assurances toward and cooperation (particularly economic) with the PRC. These cases can be further divided into two categories. Singapore and the Philippines practice what could be called overt low-level balancing. Other states, including Vietnam, Malaysia and Indonesia, practice very subtle or highly restrained forms of balancing.

Singaporean leaders are arguably America's most supportive quasi-allies in Southeast Asia, regularly telling international audiences that America plays a constructive and irreplaceable role in regional security. Former Prime Minister Lee Kuan Yew has, for example, described the United States as the key player in a "fallback position should China not play in accordance with the rules as a good global citizen" (Goh 2004, p. 3). The surprisingly harsh public rebuke Beijing gave incoming Prime Minister Lee Hsien Loong over his visit to Taiwan in July 2004 was an example of the kind of domineering posture Singaporeans (and others in the region) fear from China. Singapore hosts the U.S. Navy's Western Pacific logistics command and has built a pier at Changi Naval Base for visiting U.S. aircraft carriers. The island state might have offered to join a formal defence agreement with the Americans if it was not constrained by the fear of offending neighbours Malaysia and Indonesia, which publicly champion the principle of keeping foreign military bases out of ASEAN. Singapore's relatively robust balancing may be explained by its dependence on maritime traffic for economic survival and by the fact that the island harbors security fears not only about China but also about its much larger Malay-dominated neighbours.

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The Philippines, as well, practices open but low-intensity balancing with the United States against China. Preoccupied though it is with internal problems, Manila clearly perceives an external security threat in growing Chinese power, one that would persist even if the South China Sea issue was resolved. Mischief Reef was a strategic watershed for Manila, which had moved in 1991 to expel U.S. forces from their bases in the Philippines. After finding that it was too militarily weak to defend its South China Sea claims against China and that it could not rely on Asia-Pacific multilateralism to defend Philippine interests, Manila sought to strengthen its position against China by balancing with the United States (Buszynski 2002, pp. 483–500). Some of the same Philippine senators who in 1991 voted to terminate the agreement allowing American bases in their country supported the 1997 Visiting Forces Agreement with the United States, which passed by a margin of more than 3 to 1. The U.S.-Philippines military relationship was further bolstered by a new Mutual Logistics Support Agreement and the Philippines' designation as a "major non-NATO ally" in 2003. American forces now regularly exercise in the Philippines and have trained Filipino troops fighting Abu Sayyaf rebels on Basilan island. The Philippines held 18 joint exercises with the United States in 2004. Furthermore, Manila hopes the recent Joint Defense Assessment with the United States will deepen American interest in the Philippines' security by giving Washington a role in the reform of the Philippine military and, by extension, reform of the Philippine government (Baker 2005, pp. 3–5, 8). Balancing with the United States not only affords a measure of protection against possible Chinese aggression, it is reinforced by a history of close association and a degree of ideological and cultural affinity with America.

Low-intensity balancing with the United States does not prevent the Philippines from maintaining a relationship with China that includes economic cooperation and often cordial diplomacy. The same is true of Singapore. While strategically supportive of the United States, Singapore has offsetting economic and ideological bonds with China. Lee cultivated an image as an "old friend of China". His son and successor Prime Minster Lee Hsien Loong affirms, "Our relations with China are deep and broad. The principle is mutual interest and mutual benefit" (Vatikiotis 2004, p. 30). Singapore has poured investment into the PRC and encouraged Singaporean Chinese to learn to speak the official PRC dialect of Mandarin. The ruling People's Action Party leadership has made clear its distaste for the American political model of a vigorous multi-party system and a robust raft of civil liberties, embracing instead a soft authoritarianism that is also the ideal of many PRC elites. Furthermore, the Singapore government has harassed Falun Gong,

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allowed its domestic media organs to take lines sympathetic to China, and criticized Taiwan's government.

Vietnam, Malaysia and Indonesia similarly seek to avoid antagonizing China while practicing discreet and limited forms of low-intensity balancing. Vietnam has abundant historical experience with the problems posed by a strong and domineering China (Thayer 2002, pp. 265–87). Since normalizing their relations in 1991, Vietnam and China have increased their economic cooperation and made progress in areas such as delimiting their land and Tonkin Gulf sea borders and agreeing on fishing rights. Most Vietnamese political elites are highly distrustful of China and are yet to be convinced that China does not aspire to hegemony over the region. Vietnamese who fear long-term Chinese intentions see in the Spratly and Paracel Islands disputes a harsh and sometimes violent counterpoint to China's Asia-Pacific "smile diplomacy". In contrast to the general relaxation between China and the other claimants, tensions over the issue between China and Vietnam continue to simmer. Hanoi continues to draw protests from Beijing for inviting foreign contracts for exploring possible oil and gas resources in disputed areas and for planning a tourist cruise service to the Spratly Islands. Violence flares up on occasion. In January 2005 Chinese border guards opened fire on Vietnamese fishermen who had allegedly strayed into Chinese waters, killing nine.

Hanoi has therefore made quiet efforts to balance China by welcoming "nascent" security cooperation with the United States. Vietnamese elites verbally support an American military presence in the region to counter-balance China (Storey and Thayer 2001, p. 465; Chanda 2003). Concrete U.S.-Vietnam cooperation has recently begun with less sensitive activities such as counter-terrorism, combating drug smuggling, de-mining, search-and-rescue, and disaster relief (Storey 2005a, p. 6). In 2003 Vietnamese Defence Minister General Phạm Van Tra visited Washington, his country began sending observers to the annual U.S.-led Cobra Gold military exercise in Thailand, and a U.S. naval vessel made a port call in Vietnam for the first time since 1975. In 2004 Admiral Thomas Fargo, commander of U.S. forces in the Pacific, and General James L. Campbell, commander of U.S. Army forces in the Pacific, visited Hanoi, and a U.S. destroyer docked in Da Nang. The Vietnamese have sought these links despite the government's resentment of U.S. human rights criticisms and the widespread belief that the Americans seek to overthrow socialist political systems.

In the 1970s and 1980s Malaysia considered China a substantial security threat because of Chinese support for a communist insurgency. This aspect of the Chinese threat has subsided, but the possible emergence of an aggressive and powerful China remains perhaps

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Malaysia's chief potential external danger. As one of the claimants in the South China Sea dispute, Malaysia's interests would be served by an end to the growth of China's military reach into Southeast Asia. The United States therefore represents an important counter-weight to China in Malaysian strategic thinking. Even under former Prime Minister Mahathir Mohamad, who frequently berated the Western powers in public, Malaysia relied on Britain and the United States as the ultimate guarantors of Malaysian security. The United States and Malaysia maintained defence and intelligence cooperation even when the public diplomacy between the two countries gave the appearance that relations were poor (such as in 1998 when visiting U.S. Vice President Al Gore criticized Mahathir over the imprisonment of political rival Anwar Ibrahim). The September 11, 2001 terrorist attacks provided the impetus for a more cordial diplomatic relationship as well as new cooperation in the area of counter-terrorism. Although Islam is the state religion, Malaysia is pragmatic and moderate, and thus its government feels threatened by Islamicist extremists. U.S. Deputy Secretary of State Richard L. Armitage recently described Malaysia as a "strategic partner of great and growing importance".[3] Malaysian Defence Minister Datuk Seri Najib Tun Razak called U.S.-Malaysia defence ties a "well-kept secret" (Najib 2002). In addition to intelligence sharing and military education exchanges, Malaysia does its part to encourage an ongoing U.S. military presence in the region. Up to 20 U.S. Navy vessels visit Malaysian ports every year, where some of them get repairs and maintenance. The aircraft carrier *USS John C. Stennis* stopped in Port Klang in September 2004. U.S. Army, Navy, and Air Force personnel train and exercise regularly with the Malaysian military. Malaysia provides a jungle warfare training venue for U.S. troops (Storey 2005b, p. 4).

Indonesia has ambivalent relationships with both the United States and China. As a former colony that won a struggle for independence from the Dutch in 1949, Indonesia is highly sensitive to Western "neo-colonialism". From the standpoint of many amongst the Indonesian elite, the United States is a "soft power" threat through its crusade to promote democracy and human rights worldwide, which has the effect of stirring up domestic discontent and separatism. The U.S. military involvement in Afghanistan and Iraq is unpopular in Indonesia and much of the public believes that the American government is anti-Muslim. Indonesia has a strong aversion to the presence of foreign military forces within its territory (the involvement of the U.S. military in relief efforts in Sumatra following the December 2004 tsunami was highly exceptional [Smith 2005, p. 5]). Reacting to misleading press reports in March 2004 that the U.S. Regional Maritime Security Initiative

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would involve U.S. Marines plying the Strait of Malacca, Jakarta bristled, along with Kuala Lumpur, saying the responsibility for policing the Strait of Malacca belongs to Indonesia and Malaysia.

But Indonesia also has several security worries about China. Indonesian military doctrine is geared to the basic mission of defending against an invasion from a powerful country to the north, a legacy of the Pacific War. Indonesian military leaders privately name China as Indonesia's most likely military threat and do not rule out the possibility of a Chinese invasion (Smith 2003, p. 7). In the recent past, the PRC's alleged links with the ethnic Chinese communities in Indonesia have contributed to violence against Indonesian Chinese, most notably in the massacre of tens of thousands in 1965–66. China's claim to much of the South China Sea challenges Indonesia's ownership of the Natuna Islands. More generally, Indonesia sees itself, perhaps unrealistically, as the future dominant power of the region. Even if Indonesia is far from achieving this status, the continued growth of Chinese influence clashes with Indonesian nationalism and with this inflated self-image.

The result of these competing considerations is a hedging strategy with a very circumspect element of balancing with the lesser evil against the greater evil. While both the United States and the PRC pose potential security problems, China is the weightier threat. Although Jakarta formally promotes non-alignment of Southeast Asian states with outside powers, in practice Indonesia accepts regional engagement with the United States to offset China's power, provided there is no infringement upon Indonesia's sovereignty (Storey 2000, p. 165). Indonesian leaders also make clear their desire for a restoration of the U.S.-Indonesia military-to-military links (including military education and arms sales) cut off in stages from 1991 to 1999. Jakarta allows U.S. Navy vessels to visit Indonesian ports for repairs, explaining to the public that these port calls are strictly commercial rather than strategic. The (now defunct) 1995 Agreement on Maintaining Security between Indonesia and Australia was also widely interpreted as balancing against the PRC (San Pablo-Baviera 2003, pp. 339–52). Although Indonesia's level of defence cooperation with the United States is lower than Thailand's, Indonesia's policy counts as balancing because Indonesians more clearly than Thais perceive the PRC as a threat.

Vietnam, Malaysia and Indonesia combine their policies of discreet balancing with assurances to avoid alienating China. Hanoi tries to avoid the appearance of participating in an effort to contain China. Offending Beijing carries high costs (for example, inconvenience to or harassment of Vietnamese business people in China), and Hanoi is careful to avoid provocation or confrontation with China except in cases where the Chinese mount a direct challenge to what the Vietnamese

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view as a vital national interest (such as a dispute over territory; hence the intensity of the South China Sea issue). To mollify Beijing, Vietnam has also pursued defence contacts with China, such as an agreement on security cooperation signed during a March 2005 visit to Hanoi by PRC Minister of State Security Xu Yongyue. China and Vietnam conducted their first high-level security talks in April 2005.

Similarly, Indonesia's wariness toward China does not cut off opportunities for bilateral cooperation. Indeed, during a visit to Indonesia in November 2004, PRC State Councillor Tang Jiaxuan announced the two countries had agreed to build a "strategic partnership" (*People's Daily* 2004). The PRC is a major buyer of Indonesian bulk commodities, and is a potentially more reliable weapons supplier to Jakarta than the often-moralistic United States (China, for example, does not criticize Jakarta about its treatment of the restive province of Aceh). China is also a useful political ally against Western human rights pressure and threats of humanitarian intervention.

If U.S.-Malaysia defence links have been a "well-kept secret", this is partly because Malaysia aims to maintain a cordial relationship with China (as well as because of domestic sensitivities in Malaysia). Kuala Lumpur welcomes engagement and calls the PRC a constructive player in Asian affairs. Former prime minister Mahathir said publicly he did not consider China a threat (although he also declined to adopt the Chinese aversion to a growing regional political role for Japan).[4] Malaysia buys a modest amount of armaments from China. In 2004, after becoming deputy prime minister, Najib bin Tun Abdul Razak forbade Malaysian ministers from making official visits to Taiwan, and Kuala Lumpur turned down an invitation to observe the Cobra Gold military exercise in Thailand.

Myanmar (as Burma was renamed by its leaders in 1989) departs from the pattern set by most of the other states in Southeast Asia. In some cases a weak country bandwagons with a threatening power because balancing is not a feasible option. At first glance, Myanmar's policy toward China looks like bandwagoning. Myanmar shares a long border with China and occupies an area of strategic importance: the closest access point between the PRC and the Bay of Bengal. With vastly more resources of every kind than Myanmar, China is a potentially dominating neighbour, and aside from India, the other large powers are geographically distant.

What initially appears to be bandwagoning, however, must upon closer inspection be highly qualified. Historically, Myanmar tried to maintain equidistance between China and India. After the State Law and Order Council (SLORC) military junta took control of the country's government in 1988, sanctions imposed by the United States and the

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European Union forced the regime to turn to China for diplomatic support and for the cheap supplies of arms and ammunition the junta needs to keep itself in power. Since then Myanmar has become something of a Chinese client state, although many of Myanmar's elite have concluded that their country has grown too close to China, with the consequence that in recent years (with China more powerful than ever) Yangon has sought to improve its relations with India and its economic links with Japan to partly offset the over-reliance on the PRC. Even in this case, where we find close security cooperation, there is also an element of hedging. If the evidence does not suggest a determination by Myanmar's government that aligning itself with the Chinese is necessary to protect itself from the threat of a powerful China, we cannot conclude that this is a case of bandwagoning for survival. Furthermore, Yangon cannot be said to have "joined the winning side" if Myanmar had no real opportunity to choose sides.

Conclusions

Southeast Asian states are "bandwagoning" with China only in the sense that they want to trade with China and value maintaining good relations with China, recognizing the PRC's potential to become the most powerful state in Asia. The most common approach in Southeast Asia to a rising China is low-intensity balancing with the United States, combined with efforts to assure and engage China.

This balancing against China occurs despite China's efforts to assuage the fears of its neighbours and to cultivate a non-threatening and responsible international image (Medeiros and Fravel 2003; Shambaugh 2004/05). Beijing has worked diligently to remove any basis for viewing China as a threat. The Taiwan issue is the obvious and major departure from China's regional public relations campaign. This, however, is a special case in that Beijing has obtained the region's endorsement for the position that Taiwan-PRC relations are an internal Chinese matter. Given the parameters of China's potential power and rapid growth (to some degree inherently threatening) and the core regime and national interests in preventing a perceived loss of Chinese territory, Beijing has perhaps achieved as much success as it could have in attempting to reduce regional worries about Chinese aggressiveness. Indicative of China's success is the fact that Southeast Asia's relations with China are better now than during the latter part of the last century, when China was far less powerful. Yet significant concern clearly remains within Southeast Asia.

The prevalence of low-intensity balancing in the region despite China's relatively benign and cooperative attitude suggests Southeast

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Asia would not passively accept Chinese domination that appeared to challenge important national interests — or in other words, Southeast Asia would not bandwagon with a threatening China if balancing was a viable option. Southeast Asian leaders have frequently expressed their desire to avoid a "self-fulfilling prophecy" of turning China into an enemy by treating it as an enemy. Thus, they are loathe to undertake a stronger form of balancing than is necessary, and generally seek to assure China that ASEAN is not an anti-China alliance. But the strong interest in engagement and economic cooperation with China, and the offered assurances, are all premised on the expectation that Beijing does not intend to infringe upon the autonomy of regional states or challenge ASEAN's basic rules of international interaction. The PRC's leadership and influence rest on China's reputation as a peaceful and cooperative neighbour. If the region lost confidence in China's willingness to abide by principles such as those enumerated in the New Security Concept and the TAC, we could expect the region to respond more defensively (Womack 2003–2004, p. 548).

Balancing behaviour in Southeast Asia has implications for another external power, the United States. One of the issues in Sino-American relations currently discussed by U.S. strategic analysts is the presumed loss of American influence in Southeast Asia as China gains recognition as the dominant power of Asia. But the region's considerable tacit and formal defence cooperation with Washington indicates that America remains an important strategic player. Furthermore, the logic of balancing suggests that America will matter more rather than less to Asia as China grows more powerful. The United States, it appears, can remain an influential country in Southeast Asia as long as it wishes to.

China appears to be in a period of build-up and consolidation. Accordingly, Beijing has sought to minimize external tensions while China focuses on developing its economic, political and military power. This raises questions about China's relations with the region after the PRC has achieved fully-fledged great power status later this century. Will Beijing continue to honour the promises of its present leaders that "China will never seek hegemony"? If not, the Chinese may find the region is willing to undertake stronger balancing measures and less welcoming to Chinese economic penetration. Many in the region already suspect Beijing may become more assertive over the South China Sea dispute in the future, especially after the Taiwan question is resolved. In the meantime, Beijing may hope that regional recognition of the "one China" principle would allow the PRC to use military force against Taiwan without damaging China's relations with Southeast Asian states. China's neighbours, however, are not likely to see China's willingness to use the PLA to settle this political

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issue as completely unconnected to China's approach to future disputes with other Asian states. An indication of PRC aggressiveness or militarism could quickly alter the region's prevailing orientation of cautious acceptance of a rising China.

NOTES

1 The opinions in this article are the author's personal views, not official positions of the U.S. Government, the U.S. Pacific Command, or the Asia-Pacific Center for Security Studies.

2 These and other key ASEAN documents are posted on the ASEAN website at http://www.aseansec.org.

3 From a U.S. State Department press release, Dec. 6, 2004, available online at http://www.state.gov/s/d/former/armitage/remarks/39467.htm (accessed 21 March 2005).

4 Mahathir, for example, told visiting Japanese Prime Minister Junichiro Koizumi that he believed Japan should not have to continually apologize about its Pacific War misdeeds (Singh 2002).

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Contemporary Southeast Asia 27, no. 2 (2005): 323–42 ISSN 0219-797X

Book Reviews

Contesting Malayness: Malay Identity Across Boundaries. **Edited by Timothy P. Barnard. Singapore: Singapore University Press, 2004. Softcover: 318pp.**

This is a book for specialists. It is erudite, dense, and packed with information. This collection of essays is primarily derived from a 1998 conference exploring the concepts of Malay, Malayness, and the "Malay world", including the meaning of "Malay", its derivation and boundaries, and the origins, transformation, and construction of a "Malay ethnicity". The revised papers were subsequently published as a "Symposium on Malay Identity" in the *Journal of Southeast Asian Studies* in 2001. The essays offer perspectives from a number of disciplines — history, anthropology, literature, linguistics — and approaches (postmodern and critical theory particularly) and cover a vast period — from the second century CE to the end of the twentieth century.

Despite what seems to be a focused topic, the papers reveal just how discursive it is. At the end, these terms remain elusive and contested. The editor is to be congratulated for his efforts to tie things together and bring some coherence to the project, particularly in the Preface and by adding opening and closing chapters by Anthony Reid and Anthony Milner. This is a book with many, many trees, as the editor acknowledges. Despite efforts, it remains very difficult to see the forest. At the end, one is left, in the words of one of the writers "feeling disoriented", if not overwhelmed by the immensity of the time and space covered, the many issues raised, and the mass of information.

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Timothy P. Barnard and Hendrik M.J. Maier in the Preface state that although investigating the word "Malay" seems "very straightforward" at first glance (p. ix), it is not, and "it seems unlikely that the word will acquire any greater precision in the future".

Reid's opening chapter ("Understanding Melayu (Malay) as a Source of Diverse Modern Identities") adds a welcome overview that touches on the issues discussed in the collection, by tracing the historical development of the core cultural complex centred in the Malay language, and the association with kingship from Srivijaya and Melaka. The colonists, he states, constructed the idea of a Malay race or bangsa, which eventually developed into Malay ethnic nationalism in Malaysia. This contrasts with Indonesia, where nationalism became more territorial than ethnic, and the nationalists took on the more difficult task of "building a bounded state without a core ethnie" (p. 21).

Adrian Vickers (" 'Malay Identity' Modernity, Invented Tradition and Forms of Knowledge") has written a complex chapter which investigates how the geographic separations created by colonialism, particularly the separation of "Malay" and "Javanese", are still accepted as the basic terms for analysis (p. 26). Up until the 19th century, these terms were combined or used interchangeably to define the *pasisir* or coastal world of Southeast Asia (p. 33). He argues for looking at *pasisir* scale of forms (p. 54) through the study of literary texts that allows one to "view a more complex and ambiguous 'Malay' identity" (p. 26). He concludes that "Pasisir histories are one variety of counter history, alternative to the European/anti-European histories of colonialism and nationalism" (p. 55).

In an interesting essay, Leonard Y. Andaya ("The Search for the 'Origins' of Melayu") investigates the rival claims of Sumatra and the Malay Peninsula to being the centre of the Malay world by tracing language derivations (p. 24). He concludes that it is the heritage of southeastern Sumatra and western Borneo that inspired the Melayu of Melaka. From the middle of the 15th century, Melaka's commercial success and literary output made it synonymous with Melayu civilization and consequently Melayu identity was wrenched from Sumatra. With the division of the Malay world into Dutch and British spheres, Melayu finally became identified politically and in the popular mind with the peninsula.

In a chapter added later to the collection, Heather Sutherland ("The Makassar Malays: Adaptation and Identity, c. 1660–1790") studies the Malay refugee community in the multi-ethnic port of Makassar, based on her close reading of VOC records and archives, among others. The account begins by considering the nature of Makassar's commerce

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and the early history of the Malay community there (from 1561) and then traces its history by looking at how various families adapted to changing political circumstances.

Timothy P. Barnard ("Texts, Raja Ismail and Violence: Siak and the Transformation of Malay Identity in the Eighteenth Century") investigates the rise of the Siak state in eastern Sumatra in the 18th century at a time when Johor's power and status were in decline. It simultaneously traces the transition of Siak's Minangkabau migrants to a Malay identity (p. 112). The rise of the Siak state, and the violence that accompanied it, "is one reason Siak is often placed outside the parameters ... of Malayness in most literature (p. 119). The tales of the rulers of Siak in the Hikayat Siak "provide a glimpse into some of the earlier aspects of the contestation of Malay identity that would continue well into the colonial era and beyond" (p. 120).

In a narrowly focused essay, Jan van der Putten ("A Malay of Bugis Ancestry: Haji Ibrahim's Strategies of Survival") provides background on the life of a Bugis official who lived in Riau in the nineteenth century and needed to adapt his identity. Much of the data are derived from letters by Haji Ibrahim to a Dutch scholar stationed in Riau.

Prominent Malaysian anthropologist Shamsul A.B. ("A History of an Identity, an Identity of a History: The Idea and Practice of 'Malayness' in Malaysia Reconsidered") notes that it is very important to remember that there is not only a contestation about the identity of Malayness, but also a contestation of the methods or frameworks through which this "identity" is examined and elaborated. He writes that "most knowledge about the Malays has been constructed and elaborated in an Orientalist mould ..." (p. 136). He argues interestingly that the British colonial conquest was not only a matter of superior weapons, political control, and economic energy; it was also a cultural invasion in the form of a conquest of the native "epistemological space" that disempowered the natives by limiting their ability to define their world.

A contemporary paper by Virginia Matheson Hooker's ("Reconfiguring Malay and Islam in Contemporary Malaysia") focuses on the views of Anwar Ibrahim and Dr. Mahathir in 1996–97 newspaper articles on the relationship between Islam and the Malays, Islam and the state, and Islam and development. The essay concludes with a discussion of Vision 2020, the "New Malay" and the proposed civic nationalism envisaged in Bangsa Malaysia. The postscript suggests there are signs now that UMNO may be moving to re-Islamization to counter PAS claims as protector of Islam (p. 166).

James T. Collins' ("Contesting Straits-Malayness: The Fact of Borneo") essay is summed up well by the title. He writes that it is time

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to reject Orientalist geographies of the Malay world and Orientalist views of Malays and Malayness. He rejects the idea of the Malay world being a simple dichotomy of Sumatra and the Peninsula — "a noetic dualism not coincidently marked by a colonial boundary" (p. 168). Western Borneo, which Collins believes is the very homeland of the Malay language, offers a vantage point from which to view the process of creating and recreating Malayness (p. 178). I disagree with his statement that "Identity is a matter of choice" (p. 179). It is not always, and often not entirely, simply a matter of choice.

Will Derks' ("A Literary Mycelium: Some Prolegomena for a Project on Indonesian Literatures in Malay") essay seeks to challenge the prevailing approach to Indonesian literature by focusing on the oral literary tradition in Malay, concentrating on poetry and short stories, by mapping the widespread phenomenon of the literary club (p. 187). He sees the Indonesian literacy system as subject to constant renewal, readaptation, and reinterpretation (p. 202).

The collection then presents a very long poem — 299 stanzas running over 37 pages — about the Malays, their history, strengths and weaknesses, values and politics, by Tenas Effendy, translated by Timothy P. Barnard and Rohayati Paseng Barnard ("An Epic Poem of the Malay's Fate"). While interesting, this might have fit in better with the collection if it had been accompanied by some interpretation and analysis.

Finally, Anthony Milner ("Afterword": A History of Malay Ethnicity") reviews the essays in the collection. Milner does an excellent job of organizing the essays into a series of "issues". He also mentions his concerns with the various positions and arguments, for example, the "danger of reading modern concerns about ethnicity into an eighteenth and nineteenth century context" (pp. 245–46); asks probing questions; identifies areas that have not been examined in the collection (e.g., the extent to which a person "conforms to Malay custom" (p. 243). He concludes with an interesting agenda for future research that picks up from the introduction by the colonial regimes of the concept of race and nation, beginning with "How the Malay bangsa or 'race' was invested with emotive power".

This collection, while challenging for the non-specialist, should be of considerable interest and appeal to the specialist.

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The Thaksinization of Thailand. By Duncan McCargo and Ukrist Pathmanand. Copenhagen: Nordic Institute of Asian Studies, 2005. Softcover: 277pp.

Never has a Thai leader generated so much academic interest in so short a time. Prime Minister Thaksin Shinawatra's rise to power in January 2001 and his prolonged rule since have been so phenomenal and unrivalled in Thai political annals that they have spawned a burgeoning sub-field in the study of Thai politics that can be dubbed "Thaksinology", underpinned by all kinds of books and articles focusing on Thaksin and all facets of his personal and professional life. The volume under review is the latest English-language investigation of the telecommunications billionaire in the seat of power. It is a team effort between the most prolific Western analyst of Thai politics and an indigenous researcher who is fast coming into his own. Coming out within a year of Pasuk Phongpaichit and Chris Baker's incisive and insightful *Thaksin: The Business of Politics in Thailand*, McCargo and Ukrist had a tough act to follow. Yet *The Thaksinization of Thailand* does not disappoint, notwithstanding a handful of empirical kinks and analytical shortcomings.

For critics of Thaksin's virtual authoritarian rule and pandering populist policies, this book offers intellectual therapy and sheer indulgence. Unlike Pasuk and Baker, McCargo and Ukrist make no pretence of non-partisanship. They pull no punches from the outset, opening with a salvo in the first chapter that "... Thaksin is an opportunistic politician, for whom ideas are simply a means to an end. He is not animated by the pursuit of ideas, but by the pursuit of wealth and power. Thaksin's greatest achievement is the creation of a formidable political and economic power network, the mother of all *phuak*" (original italics), in reference to the Thai leader's nexus of factions (p. 20). In the last paragraph of the book, the authors depart with all guns blazing. The penultimate conclusion leaves little doubt: "Thaksin Shinawatra is not an ideas man. He is a brilliantly successful opportunist" (p. 252). In between, the crux of the book takes Thaksin to task on his conflict of interest in the telecoms sector, shrewd concoction of the ruling Thai Rak Thai (TRT) party, re-politicization of the military, manipulative political discourse, and personal networks that have reshaped Thailand's political economy.

The book is primarily divided along the two authors' complementary areas of strength. McCargo traces Thaksin's rise in chapter 1, tackles the TRT party in chapter 3, and scrutinizes the prime minister's discourse in chapter 5. In turn, Ukrist's even-

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numbered chapters cover the politics of telecoms, the military, and new political economy networks.

Of particular interest is McCargo's treatment of the TRT, which follows his earlier work on Thai political parties. To the author, the TRT is not a genuine political party in the lenses of democracy theorists. Its 10 million-odd members from the rural masses and its concrete policy platform are illusory. Thaksin's Bangkok-based "electoral professionals" exploit marketing techniques to win grassroots votes, and ultimately rely on rural patronage networks to rule. At issue in this chapter is the long-standing debate about parties and factions in Thai politics. McCargo maintains that rural-based factions still lord over the TRT.

However, the author might have paid attention to trends. Over his four years in power, Thaksin has gradually created a new numbers game emphasizing a "maximum-winning" coalition strategy, absorbing smaller parties, monopolizing the party scene and bringing as many MPs as possible into the coalition government. Armed with a critical mass of support bases revolving around his sister's northern camp, the Bangkok wing, and his handpicked MPs on the party list, the overwhelming parliamentary majority insulates Thaksin against unruly factions. As long as he can withstand the threat of and actual factional defections, Thaksin can maintain overall control of the TRT's various factions. McCargo also could have paid more attention to the 1997 constitution and its stipulations that have shifted significant authority from the legislature (e.g. party factions) to the executive for the ostensible benefit of stability and effectiveness (e.g. MP candidates must be registered with a party for at least 90 days to contest the election, coupled with the prime minister's house dissolution authority with a snap election to take place within 60 days). The recent and ongoing transformation of the fiscal policy regime also merits scrutiny as it allows Thaksin to appease and accommodate key factions through government largesse. In the end, McCargo's argument that the factions emanating from rural patronage networks still dominate the party may hold true, but the TRT is increasingly imposing itself over its factions. Although this trend may be ephemeral, it is an unprecedented phenomenon that bears scrutiny.

Among Ukrist's contributions, chapter 2 stands out. It is well documented, rich in empirical detail, although much of the data from the stock market's disclosure requirements (i.e. Form 56-1) could have been analysed and integrated in more depth. Nevertheless, the background on the major telecoms players is a useful reference for future political economy research, and the weight of data on Thaksin's conflicts of interest is persuasive. Perhaps the most interesting section

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is on the Shinawatra conglomerate's corporate interests abroad and Thaksin's foreign policy forays. As Shinawatra's vested interests and Thailand's foreign policy objectives have overlapped, one faces difficulty gauging whether Thaksin ventures abroad for the profit of his family's businesses or for the benefit of Thailand.

Ukrist's chapter on the military does not fit in well with the overall structure of the book. The author's argument that Thaksin has re-politicized the military is substantiated by detailed accounts of Thaksin's military preparatory school classmates, their rapid career mobility and prominent roles. In fact, it could be argued that Thaksin intended only to tame the military, to keep the generals on a leash and avoid putsches that upended previous governments, especially Chatichai Choonhavan's in 1991. The police, in fact, may have been the force that has been re-politicized. Not since the 1950s has the police force been so involved in policy formulation and implementation. Given his police officer background, Thaksin has deftly deployed trusted police generals to carry out his policies, such as the wars on drugs and dark influences. Thaksin has even given out awards for superior police performance, somewhat akin to the *aswin* (knight) rings dished out by Police General Phao Sriyanond to his favourite police officers during 1947–57, when the political power of the police was at its zenith. The men in khaki, rather than the military, could have been dealt a stand-alone chapter.

Book-length expositions are prone to minor factual inaccuracies. That "only party-list MPs could become ministers (p. 12)" is incorrect. Prommin Lertsuridej did not serve as finance minister (p. 95), although he held a stint as energy minister. The authors may have dwelt excessively on personalities in their emphasis on personal networks, whereas interests, coalitions, and the post-1997 structure of Thai politics could have figured more prominently in the explanatory framework. In developing countries, networks of personalities (e.g. who's who and who knows whom) are conceptually significant almost by definition, but what motivates such networks to coalesce, how they operate, and to what ends, hold the key to understanding them. Finally, the thrust of the book may have overstated the argument that Thaksin is bereft of real ideas, driven purely by naked and calculating opportunism. Thaksin's economic policy platform, popularly known as "Thaksinomics", was glaringly absent from the book. So are Thaksin's ideas about industrial upgrading and competitiveness-boosting cluster projects focusing on niche industries for future growth. After all, this is a prime minister who has recommended more than a hundred faddish books to his cabinet, a preacher who is at ease giving long management sermons without prepared texts to his subordinates and sycophants.

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At issue may not be whether Thaksin is devoid of ideas, but whether his ideas bode well or ill for Thailand and to what ends and to whose benefit they serve. This book thickens the plot of Thai studies, its narrative fluid and lively. It should be required reading for anyone who wants to grasp what Thaksin is all about and where Thailand is headed under his watch.

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***Regionalism and Multilateralism: Essays on Cooperative Security in the Asia-Pacific.* By Amitav Acharya. Singapore: Eastern Universities Press, 2003. Softcover: 391pp.**

The end of the Cold War had different effects on East Asia and Europe. This historic event led to the termination of the division of Europe along ideological lines and paved the way for the expansion of the North Atlantic Treaty Organization (NATO) to the eastern part of the continent. It also resulted in the deepening of the European Union (EU) as the member states decided to change the regional grouping from a single market to an economic union. They also agreed to widen the EU's membership as virtually all European states west of Russia were invited to join the organization. The end of the Cold War transformed Europe from the realm of Mars to a domain of Venus largely because this event brought about a fundamental and systemic transformation of regional politics based on realism and the balance of terror to a new regime founded on the principles of liberalism and multilateralism.

This has not been the case in East Asia. The collapse of the Soviet Union removed the major strategic rationale that held the United States, Japan and China together in an informal entente. It also removed the lid over a number of local conflicts such as those in the Korean peninsula and the Taiwan Strait. Consequently, the immediate post-1991 period was marked by the emergence of new apprehensions, and inter-state rivalries and tensions due to the uncertainty about the future positions, interests, and relations between China, Japan, the United States and India. The rapid growth of its economy and the removal of the Soviet conventional military threat from its northern border have enabled

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Beijing to become a significant actor in the regional security equation. China now is not only an economic powerhouse but also a confident player in the regional politico-strategic game. It is considered by most states in the region as the newly emerging power with whom they must all have to reckon. And to most East Asian states, it is unclear whether China as great power will adopt a status quo or a revisionist foreign policy. There has also been concern that Japan is developing military capabilities to become a normal player or power in the regional security equation. Furthermore, the Taiwan Straits and the Korean peninsula have become major flashpoints in the regional security scenario. The persistence of lingering historical antagonisms, weakness of regional organizations, unstable relations among the great powers, and the possibility that some of the regional disputes are about to escalate into militarized conflicts — have all resulted in the widespread belief that Asia will become the most important zone of conflict in the 21st century. Indeed, the end of the Cold War seemed to have pushed the region deeper into Mars' fiefdom and has created the expectation that Europe's past could well be Asia's future.

Amitav Acharya's *Regionalism and Multilateralism* disputes these notions. Acharya argues that since the 1960s, but especially since the end of the Cold War, the region in general, and Southeast Asia in particular, has been conducting a significant experiment in multilateralism. He asserts that instead of a region plagued by balance of power politics and geo-strategic rivalry, the Association of Southeast Asian Nations' (ASEAN) model of regionalism has become the model for regional security cooperation and thus, East Asian states (including the major powers) have been managing their relations on the basis of norms, identities and institutional mechanisms. The book is a collection of 14 well-written and highly theoretical essays identifying and examining the key features of East Asian regionalism. They address some of the significant issues related to Asian multilateralism, its dynamics as well as similarities and differences vis-à-vis its European counterpart, and its institutionalization in terms of its strength, limitations and future development. All the essays were written over a 10-year period from 1989 to 1999 — a period that was marked by the transition from the Cold War security system to the beginning of the post-Cold War regional order. This period also witnessed the birth, emergence and development of East Asian multilateralism.

The first chapter provides an introductory overview of the subject under study, while chapter 2 examines the different forms of regionalism in the Third World. Chapter 3 compares ASEAN's approach to regional security with that of the Gulf Cooperation Council. Chapter 4 attempts

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to determine whether ASEAN is a security community or a defence community. Chapter 5 looks into the various forms of bilateral and trilateral military–security cooperation among the ASEAN member states. Chapter 6 appropriately analyses the two security environments (Cold War and post-Cold War) that have determined the character and content of ASEAN's regional order. Chapter 7 points to a number of positive developments in the region that might lead to the formation of a regional security community and wrangles with the immediate post-Cold War belief that Southeast Asia will be a major flashpoint of violence and disorder. Chapter 8 scrutinizes the ASEAN Regional Forum (ARF) as a unique regional security institution in East Asia, while Chapter 9 discusses efforts by the ASEAN member states and the United States to foster a conditional engagement with East Asia's biggest and most important regional actor in the post-Cold War era — China. Chapter 10 provides a theoretical discussion of the dilemma and interface between sovereignty, non-intervention, and regionalism in Southeast Asia. Chapter 11 argues that multilateralism in the region is a process-oriented phenomenon, rather than simply a result of systemic changes in the international system. Chapter 12 discusses a new and positive direction in Great Power relations that could either compete with or complement the existing process of East Asian multilateralism. In chapter 13, Acharya makes the relevant point that Asia-Pacific multilateralism is likely to be weak for the foreseeable future, thus necessitating some type of balancing and coordinating by the major powers in the Asia-Pacific (pp. 325–26). Finally, chapter 14 identifies the challenges facing Asian multilateralism and explores the capabilities of this institution in facing these challenges.

Each essay deals with a specific aspect of East Asian multilateralism and is either highly conceptual or theoretical. Together, these 14 essays are not easy to read let alone comprehend. While academics and graduate students will surely appreciate the book, this writer opines that policy-makers and analysts will not have the time and the patience to read or even appreciate the book's massive data and profound insights. A conclusion containing a general summary of all the essays would have made the book easier to read and understand. Acharya's work shows not only the author's deep knowledge of Southeast Asian affairs and East Asian multilateralism; it also underscores his courage and conviction to be a voice in the wilderness. At a time when most academics, analysts, and policy-makers were predicting the region's possible slide into a realist quagmire, Acharya dared to be different.

He argues that the Southeast Asian countries' experiment with multilateralism is becoming an effective tool in addressing the intra-

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state tensions, uncertainties, and anxieties that emerged during the immediate post-Cold War period. Acharya points out that despite the region's strong tendency to become a realm of Mars, multilateralism is expanding in Southeast Asia and is making some limited but substantive headway into the entire region (pp. 2–3). Finally, he observes and maintains that the Asian states are capable of developing their own form of multilateral institutions and processes that will enable them to localize universal principles of multilateralism via the "Asia-Pacific Way" (pp. 243–44). Such a development would validate the constructivist position that anarchy is what states make of it and that the realist logic simply does not hold water in all situations.

Recent events in East Asia, however, again point to the region's possible detour from the liberal path to the realist direction. China's rapid economic growth and arms modernization, its tense relations with Taiwan, Japan and the United States, the growing rivalry between Japan and China over the East China Sea, Japan's efforts to assume a greater security role in the region, and the emerging geo-economic competition between the United States and China in Southeast Asia foreshadow a back-to-the-future (realist) scenario for the region. It is still early to predict how these developments will alter the regional security landscape. Perhaps multilateralism will enable East Asian states to mitigate these adverse trends and to effect changes in regional politics without resort to war. If this will be the case, then Acharya's prognosis that multilateralism will ensure that "East Asia's future will not be Europe's past" is prescient.

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Remapping East Asia: The Construction of a Region. Edited by T.J. Pempel. Ithaca, New York: Cornell University Press, 2005. Softcover: 315pp.

This volume, in the words of the editor's excellent introduction, addresses an "overarching ambiguity [which] characterizes East Asia". The region has more than a century of "... internal divisiveness, war, and conflict", and "several nettlesome territorial disputes". It is observed that the region is not as integrated as Western Europe, the

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Gulf States, Central America and the southern cone of Latin America (though the comparison with the latter does depend on which integration indicators are employed). East Asian nations are often better connected across the Pacific than they are with each other. Nevertheless, "despite the overwhelming structural impediments to integration", East Asia is becoming increasingly "interdependent, connected and cohesive". Hence the authors are concerned with the "remapping" of East Asia, not in the sense of defining its outer boundaries, but rather with the "additional lines of cooperation" across the region. There are three principal drivers of this process — governments, corporations and "ad hoc problem-oriented bodies" — from two interrelated directions, regionalism and regionalization.

Organizationally, there are three main sections in the book. The first looks at regionalism in comparative perspective and features chapters on East Asian regional institutions (by Etel Solingen) and its demographic futures (by Geoffrey McNicoll). Next, two drivers of integration are analysed. The chapters on states look at the decline of the Japan-led model in the region (Andrew MacIntyre and Barry Naughton), and Japan and regional cooperation (Keiichi Tsunekawa). The chapters on corporations examine Japanese and Southeast Asian production and business networks (Dennis Tachiki and Natasha Hamilton-Hart respectively). Finally, section three investigates the three I's in regional linkages: institutions, interests and identities, with chapters by Paul Evans (policy networks), environmental regionalism (Laura Campbell) and terrorism (David Leheny). The editor sums up with an extensive, forward-looking conclusion.

In such a diverse and rich collection of papers, it is impossible to do justice to all the contributions. In this review, I will single out three which caught this reviewer's eye. Geoffrey McNicoll provides a typically stimulating and broad-ranging assessment of demographic issues. He reminds us that economic and demographic relativities within a region do matter. "A region in which a single state has uncontested dominance would seem to have much less need for laborious development of a regional architecture". For example, the major power can set the rules for cooperation; a benign one can provide regional public goods, such as security guarantees for smaller states. In this respect, the East Asian relativities are mixed. Its demographics resemble South Asia. Its second most populous state, Indonesia, has 17 per cent of China's population, while Pakistan has 14 per cent of India's. However, its economics are somewhere between Europe and the Americas: second-placed Japan is 63 per cent of China's (France, Europe's number two, is 79 per cent of Germany), but the number threes, Indonesia and Korea, are just 15 per cent of China. A second demographic challenge is what the author

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terms "youth bulges and old-age dependency", and the extent to which migration will be permitted to build a bridge between them.

Of course, the intra-East Asian growth dynamics are changing, an issue examined with reference to the three most populous states by McIntyre and Naughton. The authors identify two sub-periods in the recent past. First, "Japan-led" through to 1994, featuring economic growth and falling barriers to commerce practically throughout the region. The period since, coinciding with Japan's prolonged stagnation, the Asian economic crisis, and the rise of China, has been characterized by unstable economic hierarchies and relations. During the latter period, moreover, Japan could no longer aspire to regional trade and investment leadership, while from 1997 Indonesia became preoccupied with its domestic crises. Related to these events, the APEC process began to falter and run out of steam.

Looking forward, the authors argue — plausibly, in this reviewer's opinion — that East Asian economic cooperation is likely to remain in flux and uncertain. The Japanese role is likely to be fluid, while China's leadership capacity is essentially untested. APEC may no longer be the principal vehicle for regional cooperation, but there is no guarantee that the "ASEAN + 3" formula is a ready substitute. Not surprisingly, intra-regional cooperation on trade liberalization, exchange rate and monetary coordination, migration and much else is moving slowly.

Complementing these approaches, Natasha Hamilton-Hart investigates in considerable detail a sub-set of intra-East Asian interdependence, namely the regionalization of business networks in Southeast Asia. She nicely combines case studies, anecdotal information and business statistics to develop some sketches of firms in the region. One such example is the Widjaja family, and its ill-fated Asia Pulp and Paper venture, until 2001 listed on the NYSE. Another is the Riady family's LIPPO group, whose business model in Asia and the United States has displayed considerable adaptability. A third and very different case study focuses on the huge Singapore investments abroad in recent years. The author draws attention to their checkered financial performance, and concludes frankly that "[d]espite being made up mostly of ethnic Chinese, Singaporean companies apparently do not naturally have the skills to operate in the region". Summing up, the author concludes that there is no uniform set of "Asian" business practices; that the networks have been primarily private and informal, but that governments have facilitated the process; and that the development of these regional networks is consistent with broader extra-regional commercial arrangements.

The volume is primarily intended for students of international relations and political science. There is one economist in the volume

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(Barry Naughton), and it is not a criticism of the volume to state that economists would have asked somewhat different questions. For example, they would have worried more about where some particular forms of integration are likely to head. Specifically, Jagdish Bhagwati's spaghetti bowl is rearing its ugly head all over East Asia, a region which was once avowedly unilateral and multilateral in its trade policy orientation, but is now increasingly being directed down to the dead end of preferential trade deals which are neither free nor fair. An economics perspective would also have accorded greater emphasis to the region's comparatively low trade barriers (certainly compared to all developing region comparators) and the fairly open foreign investment postures. Thus, commercial interdependence can proceed a long way even if inter-governmental relations are occasionally hostile, and the "structural impediments" apparently sizeable.

Perhaps also there could have been some more East Asian voices in the volume, if only as discussants. The authorship is overwhelmingly North American and Japanese, although in fairness all the contributors have a deep immersion in the region. But these are minor quibbles. This is a highly stimulating, topical and coherent volume. It will be required reading for specialists and students of international relations and East Asia. Unfortunately, the editor could not have asked for better publicity to underline a key theme of the volume, as China and Japan, continuing their decade-long rivalry for regional leadership, engaged in an acrimonious diplomatic spat earlier in the year.

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***Japan's Role in Asia: Mutual Development or Ruthless Competition.* By Lim Hua Sing. 4th Edition. Singapore: Eastern Universities Press, 2003. Softcover: 333pp.**

As evidenced by the impending "Asian summit", China's "peaceful rise", Japan's ongoing identity crisis relative to becoming a "normal" state and major uncertainties about the Korean peninsula, Asia is clearly entering a landmark period of geopolitical and economic change. Fresh assessments of those forces most affecting this process are now critical to understanding Asia at this historic juncture, particularly assessments that are able to bridge analysis of the region's economic development with scrutiny of the longer-term political trends emanating from it.

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Initially, Lim Hua Sing's book on Japanese economic interaction in the region would appear to meet this requirement. The scope of issues covered is appropriately broad: investment, trade frictions, overseas development assistance (ODA), technology transfers and free trade areas. Lim even delves very briefly into a politico-military related discussion of Japan's post-Cold War security behaviour. The book is richly endowed with quantitative data in the form of comprehensive tables, charts and assorted statistical compilations. Its documentation is also impressive with extensive source citations found at the end of each chapter. Indeed, the reader is nearly overwhelmed with the range of coverage pertaining to such arcane issues as Japan's non-tariff barriers on Singapore's canned pineapple and Japanese yen fluctuations during the 1990s. Perhaps the volume's greatest strength is the assiduous research that underlies much of its content.

That strength is overshadowed by several weaknesses. *Japan's Role in Asia* suffers to some degree from conceptual ambiguity and disparate narrative. Fully two-thirds of the book contains material written well before the Asian financial crisis (covering events only up to the mid-1980s) and thus offers observations that are outdated or contradict observations made in other chapters. China, for example, is no longer an oil exporter (p. 123). The conclusion to Chapter 6 waxes optimistic about Japan-ASEAN trade relations while Chapter 5 concludes by strongly implying that trade tensions between these two entities could lead to serious long-term problems. The book's last six chapters are less dated than the first nine, and oscillate between such topics as Japan's domestic economic problems, China's overseas populations and the region's institutional politics. This apparent lack of cohesion flows from what the book really is: a collection of separate articles written for different books and journals that have been assembled as a "book". In some instances, however, a statement of analytical purpose is offered (e.g., a recommendation on how to strengthen bilateral economic ties between Japan and Malaysia).

Such shortcomings should have been better resolved by establishing an overarching theme or argument at the book's outset, including an introductory chapter addressing the "problem" announced in the second part of the title: is Japan an economic partner or merely a ruthless exploiter of regional economic growth? Or might it be both and, if so, what conditions or circumstances will allow us to predict specific Japanese behaviour at a given time? Other candidates for an introduction to central foci of the book include the informative discussion on Japanese businesses' managerial style (pp. 110–11) and Japan's identity as an "economic superpower" (chapter 8). Establishing

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such a framework for the entire volume would have helped define the book's overall topic.

Other, perhaps less critical, problems relate to the author's tendency to state the obvious (on p. 235 we learn that as a result of the Asian financial crisis, Asian countries are suffering from "serious economic difficulties" while on p. 259 we learn that "Japan is a big country") and to gloss over some of the most critical dimensions of Japanese politico-economic diplomacy that warrant more extensive discussion. The Miyazawa Plan is accorded only three pages in chapter 10 and an additional page in chapter 12. Given its central role in Japan's effort to cultivate regional influence during the Asian financial crisis, one wonders why it does not merit at least a separate chapter. Recent initiatives in institutionalization are likewise underplayed; the ASEAN+3 process that may well determine Japan's future leadership role in Asia's economic affairs is only briefly reviewed (two pages) in chapter 14. China's rise as an economic power in the region is considered in two brief final chapters. China is not, however, assessed in its own right as much as an adjunct to Japan-ASEAN relations or to Japan's global economic postures. These factors are less central to how influential Japan will be as a regional economic force over the next decade, and beyond, than the extent to which China and Japan can overcome their historical and geopolitical animosities by reinforcing their investment and trade ties as determinants of their overall bilateral relationship. In this regard, the all too short discussion of Japan's military role as a factor in international security and extra-regional peacekeeping (pp. 202–203) might have been expanded to evaluate how increasing Japanese military capabilities could exacerbate security tensions in Northeast Asia.

The author should be encouraged in subsequent editions of his treatise to seize the opportunity to weigh the emerging and absolutely crucial linkages between economic power and geopolitical behaviour in Japanese policy. In so doing, he may well write a path-breaking study on a key dynamic shaping Asia's future regional order. That he has not fully done so is unfortunate when his evident knowledge and expertise qualifying him to author such a book would do much to advance our understanding of how that order may unfold.

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***Asian Discourses of Rule of Law: Theories and Implementation of Rule of Law in Twelve Asian Countries, France and the U.S.* Edited by Randall Peerenboom. London & New York: RoutledgeCurzon, 2004. Softcover: 479pp.**

The rule of law rhetoric has spread to many parts of the world and more importantly is used vigorously in social, economic and particularly, political theories more than ever before. The conventional belief is that the rule of law engenders political austerity, economic development and social cohesion in a given community. Max Weber attributed the success of capitalism in Europe to the practice of liberal democracy characterized by state accountability and the existence of rational law that induces "calculability" and "predictability". However, his theory has never been systematically tested.

The United States and most Western developed countries embrace the liberal democratic orientation of the rule of law, and in the past decades, particularly in the post-World War II era, there have been serious attempts by these countries to instil this political ideology in the developing world. The reason: there is a preconceived notion that the polities of developing countries are dictatorial and therefore individual civil and political rights are stifled. Many critics argue that cognizance of differences in culture, tradition and legal history is rarely taken into consideration, or is simply ignored by the developed countries. Consequently, the behaviour of Western advocates of the rule of law has been labelled as "ethnocentric" and "imperialistic". International economic organizations like the World Bank and International Monetary Fund have also been named as guilty parties. This situation has caused friction and continues to strain international relations between the developed and developing countries.

In Asia, arguably politics tends to make law subservient. This was witnessed during the eras of Sukarno and Suharto in Indonesia, Marcos in the Philippines and the coup d'états in Thailand. The paternalistic bent of Asian governments has been well documented. To this end, political elites in several ASEAN countries believe that to augment economic development and social cohesion, civil and political rights should reflect more the interests of the collective than the individual. Hence, individual civil and political rights have been seemingly restricted, if not withheld. This has been frequently subsumed as "Asian values embedded in the rule of law", which many Western critics consider as propaganda in support of political incumbency.

The liberal perspective on the rule of law on the other hand, advocates well-entrenched individual rights and proper checks and

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balances on state–society relations. Hence, today, there are competing versions of the rule of law. That said, there is a general consensus nevertheless over the "thin version" of the rule of law, which assumes that laws must be promulgated in a constitutionally prescribed manner and applied justly and fairly to underscore political and moral legitimacy. Still, there is much divergence of views with regard to the philosophical and substantive content of laws, i.e. the "thick version". Invariably, rule of law thinking per se has been fraught with conceptual and practical difficulties, which in turn restricts its analytical function.

At present, available literature on the topic is theoretically laden but without much focus on systematic qualitative work that includes credible empirical surveys. Moreover, most such work has not come from Asia (except India); the rule of law thinking has not caught on in the academic, let alone policy circles. Hence, there is a need for more credible research to appreciate and understand the nuances of rule of law discourses in the developed and developing countries with a view to building common space, minimizing misapprehensions, and ensuring the greater good of all.

This edited volume by Peerenboom takes a holistic approach towards the rule of law and empirically surveys 14 countries. The volume is the initial component of an ongoing extensive project on the subject, which envisages addressing various substantive laws via conferences and publications. Hence, the volume depicts the general framework for the rule of law in 14 countries in the context of more specific studies to come. On the whole, the papers are laboriously researched as well as judiciously analysed by country experts.

At the outset, Peerenboom (chapter 1) conscientiously avoids taking a narrow version of rule of law. To this end, he introduces a template along the line of thin and thick (against the political systems of liberal democracy, state socialism, soft authoritarianism and communitarianism) concepts of rule of law. Other writers also adopt the pattern and hence giving focus and meaning to the volume. More importantly, he treads through all the chapters meticulously and provides overarching observations and findings on the rule of law.

Tamanaha (chapter 2) looks at the rule of law discourse in the United States against the background of liberal democracy that squarely underpins four themes of liberty: legal, political, private and institutional. But he also considers the practical limitations of absolute liberalism and the inherent mischief it tends to produce. However, too much emphasis has been given to scholarly thinking and not much to empirical data. Pech (chapter 3) provides an excellent historical perspective of *état de droit* (rule of law) in France and he notes that constitutional review of substantive laws especially ex post in France is not entirely

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satisfactory but he juxtaposes this dilemma with the implications for international law — specifically for the European Economic Community. Hence, looking ahead, if ASEAN transforms into a formal supranational organization, France's experience on the rule of law would be instructive. In general, the discussions about the rule of law in the United States and France (liberal democracies) stand starkly in comparison to other chapters (4–15) that address Asian countries (non-liberal democracies). Here, the convergence, and more importantly the divergence, of rule of law discourses, particularly the thick version, between the two groups of countries become apparent.

Peerenboom (chapter 4) brings the reader through a historical perspective of the rule of law in China, to the present context. Since the 1980s, China has indeed put in place a thin rule of law and although elements of the thick liberal version have been introduced, particularly in the economic sphere, the state socialist ideology is strongly intact. Similarly, Gillespie (chapter 5) recognizes the progress Vietnam has made in introducing liberal economic rights, yet the ardent socialist stance seems impenetrable as far as political rights are concerned. Interestingly, several surveys consistently suggest that the general populace in China, Vietnam and other ASEAN countries are more concerned about economic development and communal cohesion than individual political and civil rights.

This demonstrates that the rule of law should not be narrowly interpreted, as western liberal democracies tend to do. In Asia, save Japan, most countries are in the developing stage, and hence entrenchment of rational economic rights is the immediate urgency together with thin rule of law considerations that accord importance to effective institutional capacity. To this end, there is a need for an efficient judiciary; a clean and professional bureaucracy; and coherent checks and balances on the political elites and the state administrative machinery. Even in Japan, as Haley and Taylor (chapter 15) note, despite the existence of a relatively modern legal framework, the liberal thinking paradigm has not permeated fully in state–society relations. Although in the recent years the legal system has been beefed up, yet it remains to be seen if Japan would embrace the rule of law in the liberal sense.

In contrast, Chen and Cheung (chapter 8) and Cooney (chapter 14), discuss the presence of intensely liberal "thick rule of law", particularly in regard to political and civil rights in Hong Kong and Taiwan, respectively. The former narrates incidents concerning the right of abode, freedom of religion and press, among others, in Hong Kong that tend to detract from socialist dogma. It would be worthwhile observing whether strong socialist ideology would infiltrate into the rather liberal

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norms in Hong Kong, in the future. Interestingly, South Korea as Chaihark (chapter 13) explains has been having a great time experimenting with liberal democratic rule of law since the late 1980s. One cannot help feeling that the impetus for adopting liberal democratic rule of law in Taiwan, Hong Kong and South Korea is in most part due to regional geopolitics than any other compelling reason. Even thin rule of law is well established with particular importance to constitutional justice.

Thio (chapter 6) provides an excellent account of both thin and thick rule of law in Singapore emphasizing the "communitarian" orientation of the ruling elites. Economic rights are more entrenched than individual civil and political rights: the present government believes that sustainable economic development affords sufficient proof of moral and political legitimacy. However, the legalistic approach to containing political dissidence is overwhelming. Lee (chapter 7) furnishes an investigatory account of the constitutional elements in Malaysia and its past and present interface with the judiciary as well as the executive.

Lindsey (chapter 9) and Muntarbhorn (chapter 11) analyse Indonesia and Thailand respectively from post-World War II dictatorial regimes to the present democratized (but by no means liberal) version of rule of law. Interestingly, they also make observations of the prevailing political and social ethos that tend to hinder democratization. Similarly, in the Philippines as Pangalangan (chapter 12) notes, populist democracy and the activism of the judiciary in upholding social justice has made rule of law development unwieldy.

On the other end of the spectrum, India, as Baxi (chapter 10) argues, in spite of endorsing a relatively liberal thick rule of law, is not synchronized with a satisfactory thin rule of law. This notwithstanding, the judiciary tends to be proactive in regard to constitutional matters.

Overall, the edited volume is certainly a valuable contribution to the current limited rule of law literature, particularly in the Asian context. Western liberal thinking per se is going through a process of reorientation in the light of a renewed debate in many Western developed countries over the extent of permissible freedoms, sparked in part by the terrorist attacks of September 11, 2001. The study of rule of law on a comparative basis serves as a building block for peace and harmony, both domestically and internationally. Undoubtedly, academics, policy-makers and tertiary students in and outside Asia should find the book thought-provoking.

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Contemporary Southeast Asia 27, no. 3 (2005): 343–69 ISSN 0219-797X

Delegitimizing Global Jihadi Ideology in Southeast Asia

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This article argues that countering radical Islamist ideology is central to any counter-terrorism strategy in Southeast Asia. It shows that while enhanced inter-state cooperation may contribute to the elimination of existing terror cells and individual terrorist leaders and rank and file, this will by no means be sufficient to neutralize the terror threat. This is because the relatively uncontested circulation of a dangerous apocalyptic global jihadi narrative only ensures that the threat persists. The article lays bare the content and danger of the global jihadi "Story" of a transnational Islamic community under attack by a nefarious "Jewish-Crusader axis" spearheaded by Israel and the United States. It essentially examines how, within the Southeast Asian milieu, the Story is empowered by several "macropolitical oxygen" and "micropolitical oxygen", including localized political, cultural, and socio-economic grievances as well as resentment at the perceived bias of the United States against the Muslim world. In particular, the study explores how all these elements may have interacted to reinforce the Story empowering the regional radical Islamist terrorist network Jemaah Islamiyah. The essay concludes by suggesting possible counter-strategies for delegitimizing the Story driving global jihadi terrorism in Southeast Asia.

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Introduction

On 9 September 2004, two days away from the third anniversary of the September 11 al-Qaeda attacks in New York and Washington, DC, a terrorist bomb went off just outside the Australian Embassy in Jakarta. Nine people were killed and more than 180 injured. Most of these were ordinary Indonesians (Pereira 2004). Immediately after the attack, a statement, allegedly emanating from the Indonesia-based Jemaah Islamiyah (JI) terrorist network, was issued, claiming responsibility and justifying why the strike had occurred. The statement clearly showed that the JI was motivated by what we may call a "global jihadi" ideology, characterized by a globally oriented, violently anti-Western animus:

> We (in the Jama'ah al-Islamiah) have sent many messages to the Christian government in Australia regarding its participation in the war against our brothers in Iraq. However it didn't respond positively to our request; therefore we have decided to punish it as we considered it the fiercest enemy of Allah and the Islamic religion. Thanks to Allah who supported us in punishing [the Australians] in Jakarta when a brother successfully carried out a martyrdom operation using an explosive-laden car in the Australian Embassy. Many were killed and injured besides the great damage to the embassy. This is only one response in a series of many coming responses, God willing. Therefore we advise all the Australians to leave Indonesia otherwise we will make it a grave for them. We also advise the Australian government to withdraw its troops from Iraq otherwise we are going to carry many painful attacks against them. Cars bombs will not stop and [our] list contains many who are ready to die as martyrs. The hands that attacked them in Bali are the same hands that carried out the attack in Jakarta. Our attacks and our jihad will not stop until we liberate all the lands of the Muslims.[1]

This essay proceeds from the premise that defeating radical jihadi terrorism in Southeast Asia requires action on two tracks. The first, the counter-*terrorist* track that seeks to render terrorist leaders, militants, and their funding and logistics networks "inoperative", is of course essential to deal with the real-time threat (Raman 2003). However, in order to effectively neutralize the global jihadi threat in Southeast Asia over the medium-to-longer term, it would be necessary to move beyond short-term counter-terrorist measures and engage in longer-term counter-*terrorism* elements. In contrast to counter-terrorist elements that have a more identifiable end-result, namely, the elimination of real-time terrorist threats and their infrastructural support, the effectiveness of a counter-terrorism thrust is harder to evaluate as the end-result: a diminution of popular support for nihilistic

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global jihadi ideology — and a commensurate rise in support for relatively more progressive forms of Islamism — is not readily measurable. Nevertheless, this essay fully embraces the old Clausewitzian dictum that what is not easily quantifiable does not make it less important. It posits that a theatre strategy for defeating global jihadi ideology in Southeast Asia must combine both counter-terrorist and the arguably more crucial counter-terrorism elements (Ramakrishna and Tan 2003, pp. 305–37). In particular, enduring success in the war on terror in the region will not be achieved until and unless the ideological basis of the likes of the JI is effectively undercut. In other words, only when the global jihadi capacity to regenerate by attracting recruits and sympathizers to its cause is severely weakened, and more crucially, its cause is regarded by Southeast Asian Muslim communities as discredited, can one begin to seriously talk about success. The pathway to the counter-*terrorism* goal of rendering global jihadi ideology irrelevant is in fact *indirect* in the sense that military and "hard" law enforcement measures cannot be the main tools of the counter-terrorism approach. Rather, as we shall see, the truly effective instruments in delegitimizing global jihadi ideology in Southeast Asia have to be "soft": ideological, macropolitical, and micropolitical.

Historical and Local Pathways to Global Jihadi Ideology in Southeast Asia

It seems fair to assert that at the time of writing, elements associated with the JI constitute the main repository of global jihadi ideology in Southeast Asia — and hence the key transnational terrorist threat in the region. Both the JI community, if you like, and the animating world-view of its constituents, however, are not mere alien imports from outside the region. The transnational terrorist threat in Southeast Asia is the product of both extra-regional and thoroughly local forces.[2] Beginning around the fourteenth century Islam came to Southeast Asia by way of West and Central Asian traders who took pains to ensure that religious considerations were not permitted to get in the way of commercial exchange. Over time, Islam, in especially the rural hinterlands of Southeast Asia, accommodated existing traditions deriving from other faiths such as Hinduism and Buddhism. In this way unique Southeast Asian varieties of Islam emerged, which Azyumardi Azra, a leading Indonesian Islamic scholar, considers to be "basically, tolerant, peaceful, and smiling" (Azra 2001). This is not to imply, however, that Southeast Asian Islam has been without its harder-line fundamentalist

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strains. From the sixteenth to eighteenth centuries, much intellectual cross-fertilization took place between *Haramayn*-based clerics and Malay-Indonesian students and *ulama*, and one result of this interaction was the emergence, in the late eighteenth century, of the so-called Padri movement in West Sumatra in Indonesia. The Padris were a reform movement that emphasized a return to the "pure and pristine Islam as practised by the Prophet Muhammad and his companions (the *salaf*)". Significantly, the Padris were quite willing to resort to forceful methods, including jihad, to compel fellow Muslims to return to the so-called fundamentals of Islam. This was a significant development in Southeast Asian Islam at the time. In fact it has been suggested that the Padri movement bore striking similarities to the Wahabis in Saudi Arabia (Azra 2003, pp. 46–47).

Perhaps the most important reformist current emanated from Cairo: "modernist Islam" or "Islamic modernism", which began appearing in Indonesia in the early twentieth century. The modernists thought in pan-Islamic terms, and ultimately sought to revitalize Islamic civilization in the face of global Western Christian ascendancy. Modernists like the Egyptian Muhammad Abduh "admired Europe" for its "strength", "technology", and "ideals of freedom, justice and equality", and sought to emulate these achievements by developing an authentically Islamic basis for "educational, legal, political and social reform" that would lead to a restoration of the Islamic world's "past power and glory" (Esposito 2002, pp. 78–79). To this end, within Southeast Asia, the modernists tried to "purify" Islam of the traditional beliefs, customs, and Sufi-inspired practices that had been absorbed over the previous centuries (Desker 2004). Like their ideological counterparts in the Middle East, moreover, the Southeast Asian modernists sought an accommodation between Islamic revival and modern science and technology (Symonds 2003). Modernist Islam spawned Indonesian Muslim mass organizations such as Muhammadiyah in 1912 and Al-Irsyad a year later (Azra 2003, p. 43). Muhammadiyah, for instance, "advocated the purification of Islam through the literal adoption of the lifestyle and teachings of the Prophet and the analytical application of the Koran and the Sunnah to contemporary problems" (Desker 2004). However, over the decades Muhammadiyah has been "domesticated" and today accommodates "local concerns, including the adoption of Sufi practices" (Desker 2004). This is not to say, however, that rigid, literalist elements do not persist within Muhammadiyah ranks. This is why some observers have commented on the "schizophrenic" nature of Indonesia's second-largest Muslim mass organization (Abuza 2004, p. 48). Other bodies, moreover, are much more explicit about their

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harder-edged interpretations of Islamic modernism: the Islamic Union (Persis) emerged in East Java in 1923 and has focused most of its energy and resources into propagating "correct" doctrine and practice. Persis has been described as by far the most "puritan" of Indonesian reform movements (Azra 2003, p. 43; van Bruinessen 2004).

After World War II, Masjumi (Council of Indonesian Muslim Associations) emerged as the main Islamic modernist political party. Its key leaders such as Mohammad Natsir and A. Hassan were linked with Persis. In fact, Persis formed the "backbone" of Masjumi throughout its existence (*Laksamana.Net* 2004). Throughout the 1950s, Masjumi leaders locked horns politically with the Indonesian Communist Party (PKI) and President Soekarno, a secular nationalist who opposed attempts to make Islamic or *shariah* law the basis of the Indonesian constitution. Soekarno banned Masjumi at the end of the 1950s, following the involvement of some of its leaders in a short-lived US-backed rebel government in Sumatra (Symonds 2003). While Masjumi was dissolved and its leaders incarcerated for alleged political misdeeds in the early 1960s (ibid.), the Masjumi/Persis ethos did not disappear. It persisted in the form of the Dewan Dakwah Islamiyah Indonesia (DDII) and in the parallel Darul Islam (DI) movement. The DDII was set up in February 1967 by a Masjumi/Persis clique of activists led by Mohammad Natsir. Rather than seeking political power outright like Masjumi, DDII switched strategy: Natsir apparently declared in this regard: "Before we used politics as a way to preach, now we use preaching as a way to engage in politics" (International Crisis Group 2004). To this end, DDII set up a network of mosques, preachers, and publications. Natsir sought to target *pesantren* and university campuses as well (ibid., p. 7).

It has been suggested that the reason for the DDII's bottom-up Islamization stance was because its leaders had realized, following the failures of Muslim politicians to enshrine the so-called Jakarta Charter in the Indonesian constitutional debates of 1945 and 1959, that a top-down Islamization approach simply would not appeal to the vast masses of nominal Indonesian Muslims and bottom-up *dakwah* was a better way of Islamizing society.[3] DDII was characterized especially by a fear of Christian missionary efforts amongst Indonesian Muslims. Over time it became increasingly drawn to Saudi-style Wahabism (*Laksamana.Net* 2004). In fact, the DDII subsequently established close ties with the Saudi-based World Islamic League (Rabitat al-Alam al-Islami) (van Bruinessen 1990, pp. 52–69). DDII became the "main channel in Indonesia for distributing scholarships" from the Saudi-funded Rabitat for study in the Middle East (International Crisis Group 2004, pp. 6–7). In addition, through Natsir's influence, the Institute for the Study of

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Islam and Arabic (LIPIA) was set up in 1980. LIPIA was from the outset a branch of the Imam Muhammad bin Saud University in Riyadh, and its faculty were Saudi scholars who taught a curriculum modelled on the parent university. LIPIA graduates became preachers on many Indonesian university campuses, ensuring that the particularly harder-edged Saudi Wahabi interpretations of Islamic modernism permeated throughout society (ibid., pp. 6–8).

Residual Masjumi/Persis sentiments survived in yet another ideological permutation: the oldest post-war radical Islamic movement, Darul Islam (DI). The DI revolt commenced in 1947, led by a charismatic Masjumi Javanese activist called S.M. Kartosuwirjo (Fealy 2004, p. 111). Kartosuwirjo violently rejected the secular state vision and religiously neutral Pancasila ideology of secular nationalists Soekarno and Mohammad Hatta. Kartosuwirjo proclaimed instead an Islamic state in Indonesia (NII) based on *shariah* law in August 1949, and the DI/NII forces waged jihad against the Republican regime throughout the 1950s. By 1962, however, the DI revolt that had spread from its West Java epicentre to Aceh in the west and South Sulawesi in the east was crushed and Kartosuwirjo captured and executed. The DI thereafter splintered into several factions and went underground (Singh 2004). While the DI failed to attain its political goal of an Indonesian Islamic state, it nevertheless "inspired subsequent generations of radical Muslims with its commitment to a *shari'a*-based state and its heavy sacrifices in the cause of jihad" (Fealy 2004, p. 111). Two of Kartosuwirjo's acolytes were the late Abdullah Sungkar and Abu Bakar Bashir — who went on to form the by-now-famous Al-Mukmin Islamic boarding school in Ngruki, Solo in Central Java in 1973. Several Al-Mukmin alumni went on to form what we know today as Jemaah Islamiyah.

As someone who had himself been a DDII activist, Sungkar fully understood the rationale for *dakwah* and the necessity for Islamizing the individual Muslim as a prelude to Islamizing the wider society. However, he later decided that rather than unstructured proselytizing, what was needed was a more focused propagation of the Islamic faith through a vanguard *jemaah* (religious community). In this regard, Sungkar was inspired by the second Caliph Umar bin Khattab, who had apparently observed: "No Islam without *jamaah*, no *jamaah* without leadership and no leadership without compliance" (Poer 2003). This imperative to place the *dakwah* process on a more organized, systematic basis was something Sungkar appears to have picked up from the Egyptian Muslim Brotherhood movement. In fact, Brotherhood founder Hassan al-Banna's thought did have some impact on Sungkar and Bashir in the 1970s. In the Brotherhood conception, the struggle towards

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the realization of an Islamic state depended on several steps: first, moral self-improvement; second, becoming part of a family of like-minded individuals (*usroh*) committed to "guide, help and control" one another and thus stay on the right path; third, coalescing the various *usroh* to form the wider *Jemaah Islamiyah*; and finally coalescing the various *Jemaah* into an Islamic state. In fact, Sungkar and Bashir sought to organize the Al-Mukmin alumni into an *usroh* network. Martin van Bruinessen calls this collection of *usroh* a network of committed young Muslims, "some of them quietist, some of them militants, all of them opposed to the Soeharto regime, organized in 'families,' that together were to constitute a true community of committed Muslims, a *Jama'ah Islamiyah*" (van Bruinessen 2002). Sungkar and Bashir, moreover, being themselves sympathetic to the older and wider DI ideological diaspora, decided subsequently to affiliate the early JI network of ideological communes with the already existing DI. Consequently, JI officially became part of the Central Java DI in Solo, in 1976. Both Sungkar and Bashir swore an oath of allegiance to the DI Central Java leader Haji Ismail Pranoto, better known as Hispran (Poer 2003). Sungkar and Bashir introduced to the relatively unstructured DI, with its imprecise notions of what an actual Islamic state ought to be like, some of the ideas they themselves imbibed from the Egyptian Muslim Brotherhood (van Bruinessen 2002).

This institutional affiliation with the DI and contact with veterans of the DI revolt may have played a part in radicalizing Sungkar and Bashir — in the sense of enabling them to accept at some subliminal level the utility of violence in pursuit of the *Daulah Islamiyah*. Hence in February 1977 both men set up the Jemaah Mujahidin Anshorullah (JMA), which some analysts believe to be the precursor organization to today's terrorist JI network (Singh 2004). Furthermore, they became involved in the activities of a violent underground movement called Komando Jihad. Somewhat like JI today, this organization sought to set up an Islamic state in Indonesia and perpetrated the bombings of nightclubs, churches, and cinemas. Incidentally, Komando Jihad was to a large extent a creation of Indonesian intelligence and was set up to discredit political Islam in Indonesia and legitimize the New Order's subsequent crackdown on "less radical and non-violent Muslim politicians" (van Bruinessen 2002). In 1978, both Sungkar and Bashir were detained for nine years for their involvement in Komando Jihad. They were released in 1982, but following the Tanjong Priok incident two years later in which the security forces killed 100 Muslims, both were charged yet again for subversion. This prompted them and several of their followers to decamp to Malaysia in 1985 (Singh 2004).

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According to one account, Sungkar and Bashir arrived illegally in Malaysia without proper documentation, settled in Kuala Pilah, about 250 kilometres southeast of Kuala Lumpur, and stayed at the home of a Malaysian cleric for about a year. Whilst in Malaysia Bashir adopted the pseudonym Abdus Samad and Sungkar took on the *nom de guerre* Abdul Halim (*Tempo*, 2002). Over the years, both men, through the financial support base generated by their effective preaching activities, were able to buy property of their own in other parts of the country. Wherever they went they set up Quran reading groups, and were invited to preach in small-group settings in both Malaysia and even in Singapore. In 1992 they set up the Luqmanul Hakiem *pesantren* in Ulu Tiram, in the southernmost Malaysian state of Johore. Luqmanul Hakiem was a clone of Al-Mukmin back in Solo. Bashir later told the Indonesian magazine *Tempo* that in Malaysia he set up "As-Sunnah, a community of Muslims" (ibid.). In this way the original Sungkar/Bashir network of *usroh* communities spread outward from Indonesia, sinking roots in Malaysia and Singapore. It was also during the Malaysian exile that a mature JI ideology of what we may call Global Salafi Jihad evolved.

From National to Global Jihad

By the time Sungkar and Bashir arrived in Malaysia in 1985, it could be said that they had become committed "radical Islamists". A brief exposition of terminology is called for. Islamic fundamentalism (or Salafi Islam) is not at all monolithic. Salafi Muslims, who take the injunction to emulate the Companions of the Prophet very seriously, may express this piety simply in terms of *personal* adherence to implementing *shariah*-derived standards of worship, ritual, dress, and overall behavioural standards. The majority of Salafi Muslims, in fact, may be considered as "neo-fundamentalists" who possess "neither a systematic ideology" nor "global political agenda" (Metcalf). Islamism, on the other hand, "turns the traditional religion of Islam into a twentieth-century-style ideology" (Pipes 2003, p. 8). To put it another way, when Salafi Muslims see it as an *added* obligation to actively seek recourse to political power in order to impose their belief system on society at large, then they become not simply Muslims but rather *Islamists*. Daniel Pipes puts it aptly when he observes that Islamists seek to "build the just society by regimenting people according to a preconceived plan, only this time with an Islamic orientation" (2003). To be sure, some Salafis do not desire to be seen engaging in politics and rather strive to project a purist, apolitical veneer. However, they often find it difficult,

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if not impossible, to avoid some form of involvement in political activity. In Indonesia, for example, Jafar Umar Thalib, leader of the officially disbanded Laskar Jihad militia, actually criticized Bashir for his commitment to an actual Islamic state, but this did not prevent the former from agitating for the full implementation of *shariah* law himself (Fealy 2004, p. 115). The International Crisis Group notes that it was "odd" for Jafar, being the leader of the self-declared apolitical and purist Forum Komunikasi Ahlussunnah Wal Jamaah network, to have paid such close attention to political developments in Indonesia, especially during Habibie's presidency (International Crisis Group 2004, p. 15). In truth, therefore, Jafar and other politically sensitized, if ostensibly apolitical, Salafis may in fact be unconscious or even covert Islamists, or "proto-Islamists", if you like. In other words, once a Salafi Muslim evinces a "will to power", he stops being a neo-fundamentalist and embarks on the road towards Islamism.

Despite regional variations, Islamists worldwide share the belief that seeking political power so as to Islamize whole societies is the only way Islam as a faith can revitalize itself — and recapture the former pre-eminent position it enjoyed vis-à-vis the West. Modern Islamist movements include the Muslim Brotherhood in the Middle East, the Jama'at-I Islami in the Indian sub-continent, as well as many of the Iranian ideologues of the 1979 revolution that brought down the Shah. These Islamists sought to construct "ideological systems" and "models" for "distinctive polities that challenged what they saw to be the alternative systems: nationalism, capitalism and Marxism" (Metcalf). In short, while the average, neo-fundamentalist, Salafi Muslim emphasizes individual spiritual renewal as the key to Islamic civilizational renaissance, the Islamist, as Pipes suggests, seeks *power* as the superior restorationist pathway (Pipes 2003, p. 8). It is entirely possible moreover that in pursuing political objectives Islamists — like other political activists seeking to implement an ostensibly religious agenda — may lose touch with the ethical core of the very faith they are seeking to preserve and champion (Pipes 2003, pp. 8–9).

Now for years both Sungkar and Bashir had been Islamists in the sense that ultimately, they sought the setting up of an Islamic state based on the *shariah* in Indonesia. But what did they feel about the use of force in pursuit of this objective? In truth a latent ambiguity within their ideological systems over the role of violence seems to have existed for years. Both men had been aware of the potential of *dakwah* for gradually Islamizing Indonesian society from the bottom up; Sungkar had after all been the chairman of the DDII Central Java branch while Bashir had majored in *dakwah* at the Al-Irsyad Islamic university in

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Solo (Behrend 2003). As noted, this belief in *dakwah* had also led them to set up Al-Mukmin. At the same time, however, they were not demonstrably opposed to the Kartosuwirjo argument that Islamizing the polity by force was the better approach. They even affiliated the nascent JI movement with Hispran's DI and were involved in the Komando Jihad. It would seem that the period of incarceration from 1978 and subsequent targeting by the New Order regime may have been the "tipping point" in terms of bringing them to the final insight that *dakwah* in the absence of jihad would be an exercise in futility. In other words, they became not merely Islamists but *radical* Islamists who believed in jihad as the means to actualize an Islamized Indonesia. The Indonesian journalist Blontank Poer observes in this respect that the jihadi emphasis in the overall strategy of Sungkar and Bashir became more developed after the shift to Malaysia in 1985 (Poer 2003). In this sense the Sungkar-Bashir radicalization experience reminds one of the Egyptian Muslim Brotherhood activist Sayyid Qutb, who was "increasingly radicalized by Gamal Abdel Nasser's suppression of the Brotherhood". Cairo's repression prompted Qutb to transform "the ideology of [Muslim Brotherhood founder Hassan] al-Banna and [Jama'at-I Islami founder Mawlana] Mawdudi into a rejectionist revolutionary call to arms" (Esposito 2002, p. 56).

By the 1980s, moreover, Islamist ideas from the Middle East and the Indian sub-continent had been translated and were in circulation in Southeast Asia (Azra 2003, p. 44). These mingled and fused with the individual experiential and ideational trajectories of Sungkar and Bashir. Thus the injunctions of al-Banna and Mawdudi to set up a "vanguard" community to serve as the "dynamic nucleus for true Islamic reformation within the broader society" (Esposito 2002, p. 53) were long accepted by the Indonesian clerics. Moreover, Sungkar and Bashir would have viscerally embraced Sayyid Qutb's absolutist, polarized view of the world:

> There is only one place on earth which can be called the home of Islam (Dar-ul-Islam), and it is that place where the Islamic state is established and the Shariah is the authority and God's limits are observed and where all Muslims administer the affairs of the state with mutual consultation. The rest of the world is the home of hostility (Dar-ul-Harb). (Qutb, cited in Esposito 2002, p. 60)

Thus it could be said that in the later half of the 1980s and into the 1990s, the Indonesian JI émigré community in Malaysia believed in several core tenets. To be sure, some of these tenets would not have been unusual to mainstream Salafi Muslims:

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- Islam possesses exclusive authenticity and authority;
- Committed Muslims must keep God at the centre of every aspect of life;
- God loves but tests his truest disciples; he also reserves for them eternal rewards in the life to come;
- Science and technology must be harnessed but within an Islamic rather than a Western context;
- The profane world is an abomination to God; he only accepts the prayers and good works of Muslims who adhere strictly to the demands of the *shariah*, the Quran, and the Sunnah.

Other Sungkar/Bashir precepts, however, clearly shaded into politically driven Islamist thinking:

- Deviation from the path of true Islam and emulation of Western models has resulted in worldwide Muslim weakness;
- *Shariah* provides the ideal blueprint for a modern, successful Islamic society capable of competing with the West and restoring Muslim identity, pride, power, and wealth;
- Alternative systems such as democracy, socialism, Pancasila, capitalism, other religions and Islam as practised by the majority of the Muslim community — are not acceptable to God and are destructive.
- True Muslims cannot, with good conscience, accept a political system that is not based on the *shariah*.

(This section draws on Behrend 2003 and Esposito 2002, pp. 52–53)

Finally, by the early 1990s the Sungkar-Bashir ideological framework represented a *radical* Islamist vision because it included the explicit willingness to resort to jihad in pursuit of the goal of an Islamized Indonesia. It should be noted that apart from the DI legacy as well as the more recent radicalizing effect of direct New Order repression, Sungkar, Bashir, and others in the JI orbit were also likely to be exposed to the ideas of the Egyptian radical Mohammad al-Faraj, who was executed by Cairo in 1982 for his role in the assassination of President Anwar Sadat (Selengut 2003, p. 80). Faraj, himself influenced by the works of al-Banna, Mawdudi, and Qutb, brought their incipient absolutizing ideas to their ultimate extremist conclusion. Unequivocally rejecting the efficacy of *dakwah* as a means of Islamizing *jahili* (unIslamic or immoral) society (Sageman 2004, p. 16), Faraj argued that the decline of Muslim societies was due to the fact that Muslim leaders had hollowed out the vigorous concept of jihad, thereby robbing it of its "true meaning"

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(Esposito 2002, p. 62). Faraj, in his pamphlet the *Neglected Obligation*, argued that the "Qu'ran and the Hadith were fundamentally about warfare", and that the concept of jihad, in contrast to the conventional wisdom, was "meant to be taken literally, not allegorically" (Juergensmeyer 2000, p. 81). He argued that jihad represented in fact the "sixth pillar of Islam" and that jihad calls for "fighting, which meant confrontation and blood" (ibid.). Faraj held that not just infidels but even Muslims who deviated from the moral and social dictates of *shariah* were legitimate targets for jihad. Faraj concluded that peaceful means for fighting apostasy in Muslim societies were bound to fail and ultimately the true soldier of Islam was justified in using "virtually any means available to achieve a just goal" (ibid.).

In light of their own recent experiences at the hands of the Soeharto regime, Sungkar and Bashir would have endorsed, at some deeper level, the ideas of Faraj on the necessity for a literal understanding of jihad, as well as his wider argument that jihad represented the highest form of devotion to God (Sageman 2004, p. 16). This is precisely why, in 1984/85, when the Saudis sought volunteers for the jihad in Afghanistan against the invading Soviets, Sungkar and Bashir willingly raised groups of volunteers from amongst their following (van Bruinessen 2002). The Afghan theatre was seen as a useful training ground for a future jihad in Indonesia itself (Poer 2003).

As it turned out, however, rather than Afghanistan being seen as a training ground for a jihad aimed at setting up an Indonesian Islamic state, that conflict became the source of ideas that transformed the original Indonesia-centric vision of Sungkar and Bashir. To be sure, prior to the 1990s, the radical Islamist ideology driving JI may be termed, following Marc Sageman, as "Salafi Jihad" (Sageman 2004, p. 17). The aim of the JI émigré community in Malaysia led by Sungkar and Bashir was ultimately to wage a jihad against the Soeharto regime — in Faraj's terms, the so-called "near enemy" — and set up a Salafi Islamic state in Indonesia. However, returning Indonesian and other Southeast Asian veterans of the Afghan jihad compelled Sungkar and Bashir to re-evaluate their goals. In Afghanistan, the Southeast Asian jihadis had been inspired to think in *global* terms by the teachings of the charismatic Palestinian *alim* (singular for *ulama*) Abdullah Azzam. Azzam, a key mentor of Osama bin Laden, had received a doctorate in Islamic jurisprudence from Al-Azhar University in Cairo, had met the family of Sayyid Qutb, and was friendly with Sheikh Omar Abdul Rahman. Sheikh Omar Abdul Rahman — better known as the "Blind Sheikh" — was the spiritual guide of two key Egyptian radical Islamist terrorist organizations, the Egyptian Islamic Jihad (EIJ) and the Egyptian

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Islamic Group (EIG) — and would later be implicated in the 1993 World Trade Center bombing in New York. When the Soviets withdrew from Afghanistan in 1989, Azzam, who had played a big part in recruiting non-Afghan foreign *mujahidin* worldwide, including Southeast Asia, for the anti-Soviet jihad in the first place, began to set his sights further. He argued that the struggle to expel the Soviets from Afghanistan was in fact "the prelude to the liberation of Palestine and other "lost" territories. As he put it in his writings:

> Jihad is now ... incumbent on all Muslims and will remains [*sic*] so until the Muslims recapture every spot that was Islamic but later fell into the hands of the *kuffar* [infidels]. Jihad has been a *fard 'ain* [individual obligation] since the fall of al-Andalus [Spain], and will remain so until all other lands that were Muslim are returned to us ... Palestine, Bukhara, Lebanon, Chad, Eritrea, Somalia, the Philippines, Burma, Southern Yemen, Tashkent and al-Andalus ... The duty of jihad is one of the most important imposed on us by God ... He has made it incumbent on us, just like prayer, fasting and alms [*zakat*]. (Azzam, cited in Ruthven 2002, p. 203)

However, as Marc Sageman suggests, Azzam, unlike Faraj, did not sanction jihad against "apostate" Muslim governments in Egypt, Jordan, and Syria. His understanding of jihad was a traditional one in the sense of evicting infidel occupiers from Muslim lands. He did not wish to see Muslims wage a jihad against other Muslims. However, after his death in a car bomb explosion in Peshawar in November 1989, the Afghan Arab *mujahidin* community, and Osama bin Laden in particular, again accepted the Faraj argument that targeting Muslim governments seen as apostate was perfectly legitimate (Sageman 2004, p. 18). Subsequently, at the beginning of the 1990s, once American troops arrived in Saudi Arabia and in Somalia, both being Muslim territories, "a more global analysis of Islam's problems" occurred. As Sageman concisely explains:

> Local *takfir* Muslim leaders were seen as pawns of a global power, which itself was now considered the main obstacle to establishing a transnational *umma* from Morocco to the Philippines. This in effect reversed Faraj's strategy and now the priority was jihad against the "far enemy" over the "near enemy". (Sageman 2004, p. 18)

Sageman observes that this gradual shift in strategic targeting philosophy within what by the early 1990s had become al-Qaeda, took place during Bin Laden's Sudanese exile during that decade. Similar doctrinal shifts occurred in parallel discussions within radical Islamist circles in New York leading to the 1993 New York World Trade Center

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attack, as well as in Algeria and France, just before the wave of bombings hit those countries (Sageman 2004, p. 18).

These shifts in global radical Salafi ideology post-Afghanistan were not lost on Sungkar and Bashir. In addition to their discussions with returning Indonesian veterans of the Afghan war, such as Hambali and Mukhlas (Neighbour 2004), both men met with international jihadi groups in Malaysia. Consequently, by 1994 Sungkar and Bashir were no longer talking about establishing merely an Islamic state in Indonesia. Over and above this, they were now talking of establishing a "*khilafah* (world Islamic state)" (Poer 2003). In this construction, a "world caliphate uniting all Muslim nations under a single, righteous exemplar and ruler" is the ultimate goal (Behrend 2003). No coincidence then that at about that time Sungkar and Bashir reportedly made contact with Egyptian radicals associated with the Blind Sheikh (Poer 2003). Moreover, in the early 1990s Sungkar and Bashir disassociated themselves from the Central Java DI movement because of serious doctrinal differences with the regional DI leader Ajengan Masduki, who had apparently embraced Sufi teachings on non-violence and tolerance. Sungkar and Bashir, casting off the overarching DI appellation, resurrected the name Jemaah Islamiyah (Poer 2003). This is the JI, infused with the post-Afghanistan neo-Faraj ethos of Global Salafi Jihad that henceforth took it upon itself to wreak "vengeance against perceived Western brutality and exploitation of Muslim communities" (Fealy 2004, p. 112). This is the JI whose current spiritual leader, Bashir — Sungkar passed away in 1999 — declared publicly that he supported "Osama bin Laden's struggle because his is the true struggle to uphold Islam, not terror — the terrorists are America and Israel" (Singh 2004). By the turn of the century, the virulent ideological strain of Global Salafi Jihad infusing JI had matured and radical Islamist writers like Azzam, Qutb, and Faraj featured "prominently on JI reading lists" (Fealy 2004, p. 112). The outlines of this virulent ideology, with its global, nihilistic, anti-Western focus were aptly captured in convicted Bali bomber Imam Samudra's cold-blooded justification of the 12 October 2002 attack on the Sari Club and Paddy's Bar that had claimed 202 lives:

> To oppose the barbarity of the U.S. army of the Cross and its allies ... to take revenge for the pain of ... weak men, women and babies who died without sin when thousands of tonnes of bombs were dropped in Afghanistan in September 2001 [*sic*] ... during Ramadan ... To carry out a [*sic*] my responsibility to wage a global jihad against Jews and Christians throughout the world ... As a manifestation of Islamic solidarity between Moslems, not limited by geographic boundaries.

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> To carry out Allah's order in the Book of An-nisa, verses 74–76, which concerns the obligation to defend weak men, weak women, and innocent babies, who are always the targets of the barbarous actions of the American terrorists and their allies. ... So that the American terrorists and their allies understand that the blood of Moslems is expensive and valuable; and cannot be — is forbidden to be — toyed with and made a target of American terrorists and their allies. So that the [American and allied] terrorists understand how painful it is to lose a [*sic*] mothers, husbands, children, or other family members, which is what they have so arbitrarily inflicted on Moslems throughout the world. To prove to Allah — the Almighty and most deserving of praise — that we will do whatever we can to defend weak Moslems, and to wage war against the U.S. imperialists and their allies. (Cited in Ramakrishna and Tan 2003, pp. 26–27)

Delegitimizing Global Jihadi Ideology in Southeast Asia: Developing a Counter-Terrorism Strategy with Ideological, Macropolitical, and Micropolitical Elements

The Ideological Element

Delegitimizing the ideological basis of global jihadi terrorism in Southeast Asia will be a long and arduous but utterly necessary process. Failure to engage in this central plank of the counter-terrorism thrust mentioned earlier would permit not only JI global jihadi elements to regroup, but also allow fresh, previously unknown groups to emerge and network, thus ensuring a persisting threat to non-Muslim and progressive Muslim governments and societies — as well as Western interests — in Southeast Asia. The fact that senior JI bombmakers were able to tap new recruits for the September 2004 attack on the Australian Embassy in Jakarta is testament to the sheer mobilizational potential of global jihadi ideology (Pereira 2004). In this regard, it would seem that the first order of business would be to counter the global jihadi ideological construction of reality head-on. This, however, is easier said than done. At the risk of over-simplifying a complex reality, it may be suggested that global jihadi ideology really springs from what some scholars call neo-Salafism, which blends neo-fundamentalist Salafism with the notion of an Islam under siege from Christian, Zionist, and secular forces (Collins 2003). Saudi-funded and influenced neo-Salafiyyah *pesantren* in Southeast Asia thus propagate, over and above the traditional Salafiyyah call to return to a pristine unadulterated form of Islam, the injunction to distance oneself from Sufi Muslims, Shiite Muslims, Christians, and other non-Sunni Muslims. Neo-Salafiyyah

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pesantren, while by no means dominant amongst Indonesia's religious schools, have nevertheless, according to former Indonesian foreign minister Alwi Shihab, permitted "stricter interpretations of Islam to gain favour". Shihab adds that the rise of such a "rigid interpretation" of the Islamic faith has had "consequences" (Perlez 2003).

One utterly crucial consequence has been the propagation of an "inflexible, scripturalist", "'us versus them', 'good versus evil', 'right versus wrong', and 'permitted (*halal*) versus prohibited (*haram*)' view of life" (Rahim 2003, pp. 216–17). In Southeast Asia, Islamist political parties such as PAS in Malaysia as well as social organizations like the aforementioned DDII, Abu Bakar Bashir's Majelis Mujahidin Indonesia (MMI), and Hizbut Tahrir Indonesia (HTI), generally propagate such viewpoints. Of course, one cannot deny that such political parties and social movements appear willing to attain their Islamist agendas gradually by working peacefully within existing political systems. Nevertheless, the dividing line between non-violent if somewhat harsh neo-Salafism and violent radical global jihadism is also disturbingly porous: the intrinsic rejectionist neo-Salafiyyah impulse animates the violent activities of disparate Southeast Asian global jihadi groups such as Laskar Mujahidin, Front Pembala Islam — and the JI. Thus while neo-Salafiyyah ideology may not in and of itself promote violence directly, it certainly engenders an exclusionist mindset that may prove readily radicalizable in certain circumstances (Ramakrishna 2005).

Thus the small number of so-called Ivy League radical *pesantren* "that constitute the JI's educational circle" in Indonesia, which the International Crisis Group argues are incubating a new breed of "*salafi* jihadists", is not the only challenge (International Crisis Group 2003, pp. 26, 31). The circulation of neo-Salafiyyah ideology in some Southeast Asian Muslim quarters, propagated especially by Saudi-funded *pesantren* and mosques, creates arguably a visceral openness to JI's pan–Southeast Asian Islamic state agenda, and by implication, political space, within which global jihadi elements can sustain themselves. The role of sympathizers who are not necessarily JI operatives themselves in arranging safe houses, acting as guides and arranging travel throughout Southeast Asia for JI militants shows how a neo-Salifiyyah ideological milieu can be hospitable to the global jihadi agenda.[4] This affinity may also explain why key leaders of MMI, ostensibly a non-violent Islamist organization, have close links with the JI (Murphy 2003a). It is even more noteworthy that Nik Adli Nik Aziz, the son of PAS spiritual leader Nik Aziz Nik Mat, was detained by Kuala Lumpur in August 2001 for his alleged leadership

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role in the militant KMM group, which seeks to set up an Islamic state in Malaysia by force. Moreover, both Nik Adli and an unnamed official from PAS attended the 1999 meeting in Petaling Jaya, Malaysia that set up the Rabitatul Mujahidin — a loose coalition of Southeast Asian jihadi groups cobbled together by the JI (Wong and Charles 2003). In short, global jihadi ideology may not be identical to, but it surely feeds upon, a rigidly puritanical neo-Salafiyyah diet.

Neo-Salafiyyah ideological currents also impart a degree of credibility to radical Islamist propaganda that Washington is working with Israel to attack fellow Muslims such as the Palestinians, Iraqis, and Afghans. It must be noted that it is not merely militant Islamists that dislike and even abhor America. Even Southeast Asian Muslims who are quite willing to practise their faith within essentially secular political frameworks believe fervently that US foreign policy is biased against the realm of Islam. A July 2005 Pew survey found that 62 per cent of Indonesian Muslims, well known for their moderate Islam, had an unfavourable impression of the United States (Pew Global Attitudes Project 2005). This image of the United States as duplicitous explains why some Muslims in Southeast Asia believed that the CIA was behind both the 11 September 2001 World Trade Center attack as well as the Bali blasts of 12 October 2002.[5] Similarly, following the Marriott bombing of August 2003, a number of Indonesians believed that the CIA again perpetrated the attack, exploiting the supposedly fictitious JI organization to camouflage the real US aim of discrediting Islam, destabilizing Indonesia, and taking control of the country (Pereira 2003). Amongst Indonesian university students exposed to neo-Salafiyyah ideological currents through, for instance, DDII *dakwah* activities on campus, there is "growing acceptance" of the notion that the Islamic world is under attack by Western forces such as the United States, and crucially, "must be defended — with violence if necessary" (Collins 2003).

To defeat global jihadi ideology in Southeast Asia therefore implies — ultimately — also wrenching out the deeper neo-Salafiyyah taproot that nourishes it. To this end, one must begin with Indonesia, which is the ideological locus of global jihadi ideology in the region today. The United States should work with Southeast Asian governments and with mainstream Muslim authorities such as Nadhlatul Ulama and Muhammadiyah in Indonesia, to ensure that the teachings of progressive Muslim *ulama* and intellectuals are given greater airing in the print media, on television, radio, cyberspace, and in the mosques, universities, and *pesantren* of Southeast Asia. Of particular importance, a strong effort must be made to propagate amongst Indonesian and other Southeast Asian Islamic neo-fundamentalist communities, what the

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well-known Tunisian scholar Rachid Ghannoushi calls a "realistic fundamentalism". This approach involves not only reviving Islamic values in all aspects of life, but also taking full cognizance of current social, economic, and political realities, as well as acknowledging the value of religious pluralism (Esposito and Voll 2001, pp. 91–117). It is worth noting that the well-known if somewhat controversial Swiss-born scholar Tariq Ramadan similarly calls for the elimination of "binary vision" that sees "everything as either *halal* or *haram*", as well as the "they (non-Muslims) don't like us" adversarial attitude (Mafoot 2003). It is noteworthy in this regard that some US funding in 2003 was channelled to NU and Muhammadiyah to "promote tolerance among adherents of different faiths" as well as to "fight terrorism". Apart from Islamic scholars from outside Southeast Asia, it must not be forgotten that Indonesia is an especially rich source of moderate, progressive, Arabic-speaking scholars who are well drilled in Islamic jurisprudence and thus able to engage in ideological combat with radicals (Raslan 2002). They, however, may need to be assisted in putting their message across in ways that ordinary Indonesians and other Southeast Asians understand (Ford 2001). Public relations specialists may thus have a role to play in rendering the progressive Islamist voice more attractive than that of the radicals (Ramakrishna 2003a). In addition, copying JI publicity methods might be salutary. Thus VCDs and videotapes should be mass-produced and distributed in rural areas especially, where JI tends to recruit its foot-soldiers.[6]

The Macropolitical Element

Ideological measures of a broad-ranging Southeast Asian counter-terrorism strategy aimed at discrediting global jihadi ideology should be supplemented by *macropolitical* elements as well. By "macropolitical" it is meant measures aimed at addressing the international, extra-regional sources of Muslim discontent that global jihadis in Southeast Asia can weave into their radical Storylines.[7] In this regard, it must be understood that generalized Muslim antipathy towards America stems from one single issue in particular: the plight of the Palestinians and the status of Jerusalem. As the site of the Al Aqsa mosque, Jerusalem is, after Mecca and Medina, the third holiest place in Islam, while the suffering of the stateless Palestinians has served as a metaphor for the suffering of Muslims as a whole in the face of a supposed Zionist-Crusader conspiracy. As Ahmad Suhelmi, an Islamic scholar at the University of Indonesia, puts it, the "*ummah* is a unity that cannot be divided", and like a human body, "if you hurt even one

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little finger the whole body feels the pain" (cited in Elegant 2003). In this respect it is reassuring that President Bush himself has now committed his energies to seeking a settlement (*Straits Times*, 2003). However, it must be pointed out that Washington has not gone far enough in identifying and eliminating other sources of what might be called "political oxygen" which Southeast Asian global jihadis might exploit to recruit more followers. For example, the slowness of America and the West to intervene in Bosnia to prevent Serb ethnic cleansing of the Muslims only confirmed in the minds of Muslims in the region, as elsewhere, that the *ummah* could expect no favours from the United States. One former Malaysian army officer, Lieutenant-Colonel Abdul Manaf Kasmuri, who served with a Malaysian unit operating as part of the United Nations Protection Force (UNPROFOR) in Bosnia between 1993 and 1994, was himself radicalized as a result of what he perceived as Western unwillingness to halt the atrocities committed against Bosnian Muslims. He established contact with al-Qaeda in Bosnia and later joined the JI (*Malay Mail*, 2003).

Significantly, US military operations have also tended to generate political oxygen. The US-Afghan air campaign of late 2001, while operationally successful in ousting the Taliban, nonetheless generated numerous civilian casualties, which again reinforced the perception, despite disclaimers to the contrary by President Bush that America was at war with Islam. Indeed, anger at the US attack on Afghanistan in October 2001 was one critical factor that prompted Imam Samudra, a key planner of the Bali attacks, to perpetrate the latter (Murphy 2003c). In fact, the suffering of Muslims anywhere, especially where the United States is directly involved — as in the instance of collateral civilian casualties in Iraq and Afghanistan — can, as liberal Muslim scholar Akbar Ahmed points out, be "used by extremists" to "reinforce this feeling that all Muslims are under attack" (Perrin 2003). Global jihadi leaders are certainly skilled in exploiting every egregious instance of inadvertent US military strikes against Muslim civilians in order to reinforce the "Storyline" of an America bent on annihilating Muslims. For instance, JI leaders, like their al-Qaeda mentors, are Internet-savvy, technically proficient, and have been known to buttress their propaganda by producing videotapes and VCDs of purported violence against Muslims by Christians, as during the Maluku conflict that erupted in 1999. Such media are then used for recruitment purposes (International Crisis Group 2002). Worryingly, Jusuf Wanandi, a leading Indonesian analyst, points out that Indonesian Muslims were "influenced by vignettes shown on television about the miseries of the Iraqi people due to war" (Wanadi 2003). Given that satellite channels like Al Jazeera

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tend to emphasize American mistakes and shortcomings in Afghanistan and Iraq, the JI might well exploit such footage to empower Storylines emphasizing that Islam is under siege everywhere and that a true Muslim would be willing to engage in global jihad to defend his oppressed brethren. US errors thus generate political oxygen that global jihadi elements can filter through their virulent ideological framework to build and sustain support (Ramakrishna 2003a).

To deplete the *macro*political oxygen that inadvertently fuels the virulent anti-Western, anti-US Storyline of the global jihadis, three steps are vital: first, Washington must ensure that its public diplomacy highlights in great detail how America has genuinely helped alleviate the plight of Muslims in Kuwait, Bosnia, Kosovo, Afghanistan, and now Iraq. However, *care* should be taken in crafting messages. A recent US$15-million public relations campaign, sponsored by the State Department and produced by the advertising firm McCann-Erickson, showcased the lives of Muslims in America but featured no Southeast Asian Muslims. Indonesian Muslims watching the advertisements were *upset* that the State Department appeared to believe that "Muslims only lived in Arab countries and only those Muslims migrated to the United States" (Perlez 2002). A better approach would be for material to be fed to sympathetic Southeast Asian print and broadcast media as well as NGOs, and allow *them* to create authentically local news websites, newspapers, television programmes, documentaries, videotapes, and VCDs about how America has tried to be a friend of Islam. These should be given the widest possible distribution throughout Southeast Asia, especially in Java, Sulawesi, and the southern Philippines (*BBC Monitoring International Reports*, 2003).

Second, America must not undercut its own public diplomacy by inadvertently generating political oxygen that can be exploited by global jihadis for propaganda purposes. Any air strike or military/law enforcement operation that accidentally kills, injures, or brutalizes Afghan or Iraqi civilians would only generate political oxygen that the likes of JI can exploit to fuel anti-Americanism. Importantly, Washington must in the short term take care to ensure that US forces avoid future Abu Ghraib–like scandals. Over the longer term, it is vital that Washington expends sufficient resources in both Iraq and Afghanistan to ensure that both states emerge as modern, progressive Muslim members of the international community (Zakaria 2003). If the United States does not stay the course in both Iraq and Afghanistan, this would further reinforce the global jihadi Storyline of a "Crusader" America at war with Islam, and in Southeast Asia, help sustain political space for the JI. The new Office of Global Communications, created by

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Executive Order of the President in January 2003, might take the lead in ensuring that Washington's words and deeds project the same positive message to a sceptical Muslim world (Ramakrishna 2003a). Finally, the United States must ensure that it persists in seeking the creation of an independent, viable Palestinian state side-by-side with Israel, and that the status of Jerusalem is justly resolved (Wanandi 2003). By consciously and deliberately identifying and eliminating the sources of the macropolitical oxygen that feeds anti-American resentment amongst Muslims, Washington, over time, may gradually help deprive the neo-Salafiyyah and ultimately, global jihadi perspectives of their emotive punch.

The Micropolitical Element

It is quite right to assert that "terrorism is a global problem with numerous local roots" (Devan 2003). Certainly, in some Southeast Asian countries, *localized* "root causes" such as real and perceived political and socio-economic marginalization are the key "micropolitical" drivers of local Muslim grievances — that are then exploited by the global jihadis for their own interests. For instance, Mindanao in southern Philippines is worth a mention as it is the Southeast Asian equivalent of Afghanistan in the 1980s and early 1990s: a vast training area for would-be jihadis.[8] While the Mindanese Moro Islamic Liberation Front (MILF) had its original Camp Abu Bakar complex overrun by the Armed Forces of the Philippines in 2000, by September 2002 new MILF training areas had re-emerged in Mindanao. These were training both Filipinos for the MILF as well as Indonesians and Malaysians sent by the JI (*Straits Times Interactive*, 2003). In Mindanao, despite Manila's efforts to improve the lot of the people, "widespread Christian prejudice, corruption and mistreatment has not won many hearts or minds" (Hogue 2003). In late March 2003, MILF senior commander Murad claimed that the organization was getting too big and difficult to control as "there are so many who wanted to join" (*BusinessWorld*, 2003).

As another example, in Myanmar, the continuing political, religious, and socio-economic repression by Yangon of the Rohingya Muslims in the Arakan region contiguous to Bangladesh, has generated support for the Rohingya Solidarity Organization (RSO), which seeks to set up an Islamic Republic in the Arakan. The RSO insurgency has been regarded by Bangladeshi military intelligence as "an extremely militant model of Islamic revolution" (Chakrabarti and Mitra 2002). In this regard it should be recognized that some JI militants, through the Rohingya

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conduit, have used Bangladesh to regroup (Yeo 2003). The Bangladeshi government has exacerbated matters by being slow to move decisively against the burgeoning number of militant Islamist terrorist groups on its soil (Lintner 2002). Finally, since January 2004 the escalating insurgency by Thai Muslim insurgents in the largely Muslim South of the country has also become a source of concern. By November 2004, 535 people had been killed in the South and the militants, according to Bangkok, had launched a thousand attacks (*Japan Times*, 2004). Some analysts have argued that the key micropolitical elements fuelling the insurgency include simmering resentment at Bangkok's long-term policy of marginalizing the Muslim identity of the area and the relative lack of economic development of the South compared with the rest of the country. More recently, a great deal of political oxygen has been generated by the Thai security forces' excessive use of force in putting down an attack on government facilities in April 2004 — and sheer operational tardiness in allowing 87 arrested Muslim demonstrators to suffocate to death in closely packed trucks six months later (ibid.).

The anger of many Filipino, Rohingya, and Thai Muslims at their respective governments only plays directly into the hands of the Southeast Asian global jihadis. Their resentments can be weaved by the radical ideologues into the extant Storyline of Southeast Asian "stooges" of the nefarious "Jewish-Crusader Alliance" and augment its mobilizational appeal. Any effective counter-terrorism strategy in Southeast Asia aiming to undercut the global jihadi vision must involve prodding regional governments to deal effectively with the localized micropolitical drivers of Muslim resentments that may be exploited by global jihadi elements to keep their enterprise a going concern. Some of this prodding may involve urging regional governments to adopt policies that enable Muslim communities to enjoy greater political and socio-cultural space — thereby enabling progressive Muslim community elements to undercut radical Storylines that Muslims are being treated as "second-class citizens" — and thus jihad against either the "near enemy" or the "far enemy" has become an individual obligation. In addition, another very practical micropolitical measure aimed at drying up the sources of Muslim grievances the global jihadis thrive on is promoting trade and investment aimed at creating jobs. After all, if thousands of Southeast Asian Muslim youth were gainfully employed, there would be less opportunities for them to be exposed to radical interpretations of Islam. For instance, one lamentable result of the post-Bali disbandment of Laskar Jihad and FPI was that "thousands of young, poorly educated and violence-hardened Muslim militants" had nothing else to do but to listen to militant preachers "preach suspicion

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of and confrontation with followers of other religions" (Mapes 2002). The Bush administration's Enterprise for ASEAN Initiative, inaugurated in October 2002, which seeks to promote the establishment of a "network of bilateral FTAs" in order to "increase trade and investment", is in this regard an example of a micropolitical measure that may have positive medium-to-longer term effects in the counter-terrorism campaign to discredit global jihadi ideology.

Conclusion: Taking Stock

In the final analysis, if we are to ensure that the hydra of radical Islamist terrorism is disembowelled, one simply has to neutralize the ideological vision that animates the beast. In Southeast Asia, the generalized global jihadi Storyline that targets, in Imam Samudra's prose, "the American terrorists and their allies", was born out of the fusion of historical, local, and international ideological strains. In addition, it feeds upon extra-regional macropolitical oxygen emanating from Western policy and military/law enforcement blunders committed towards the transnational Islamic community, as well as localized micropolitical oxygen generated by similar errors committed by regional governments operating solely in real-time oriented counter-*terrorist* mode. It requires policy practitioners within the region and in Washington and other Western capitals to move beyond a counter-terror paradigm that emphasizes military and hard law-enforcement instruments and start appreciating the potential of "soft", indirect counter-terrorism approaches. Delegitimizing global jihadi ideology thus calls for a lot more strategic creativity than is certainly being evinced at present.

NOTES

1 "Statement of the Jama'ah al-Islamia in East Asia on Jakarta blast". Translated on 9 September 2004 by the International Centre for Political Violence and Terrorism Research, Institute of Defence and Strategic Studies, Nanyang Technological University, Singapore.

2 The following section on the historical evolution of radical Islam in Indonesia draws on the author's "The Making of the Jemaah Islamiyah Terrorist" (2005).

3 The Jakarta Charter refers to a draft constitutional preamble that stipulates that Muslim Indonesians are obligated to abide by the strictures of the *shariah* law. See van Bruinessen (1990, pp. 52–69).

4 For a description of how JI's informal support network of sympathizers and helpers expedites the network's operational capability, see International Crisis Group (2003, pp. 18–22).

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5 For instance, see the report on the views of Indonesian university students on the Bali blast investigations in Zabriskie (2003).

6 Dan Murphy provides an account of how Indonesian radical Islamist groups used films of Christian-Muslim conflict in Maluku to recruit members (Murphy 2003b).

7 Jessica Stern talks about the importance of the "Story" articulated by radical Islamists as well (Stern 2003).

8 JI training shifted from Afghanistan to Mindanao in 1996 (International Crisis Group 2003, pp. 9–10).

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Contemporary Southeast Asia 27, no. 3 (2005): 370–87 ISSN 0219-797X

Non-official Diplomacy in Southeast Asia: "Civil Society" or "Civil Service"?

SEE SENG TAN

Non-official diplomacy in Southeast Asia has been viewed by some as emblematic of a growing and thriving civil society throughout the region, but by others as a sort of shadow "civil service" in support of regional governments and their policies. A closer reading of non-official diplomacy proffers a more complex picture that calls into question the supposed coherence of that distinction. This article traces the evolution of this diplomatic form in Southeast Asia in the post–Cold War era, paying close attention to its processes. More specifically, it seeks to unpack the practices in which regional non-official diplomatic agents engage that make them not only civil society participants who potentially if only inadvertently challenge extant conventions of interstate diplomacy based on raison d'état, *but by the same token "civil servants" (or statesmen) who promote and protect state interests, and, in so doing, paradoxically reconstitute those very conventions.*

Introduction

Over a decade has passed since the phenomenon of non-official diplomacy emerged as a notable theme in the international affairs of Southeast Asia.[1] The emergence of unofficial diplomats from epistemic communities as well as "Track 2" networks across the Southeast Asian region — such as the ASEAN-ISIS (ASEAN Institutes of Strategic and International Studies) and CSCAP (Council for Security Cooperation in

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the Asia-Pacific), among others — has contributed to a more expansive understanding of diplomacy as a multi-tracked enterprise with governmental as well as non-governmental features (Hernandez 1994; Simon 2002; Woods 1993). Moreover, in the light of ongoing (albeit incipient) institutional changes to long-standing regional norms and practices, non-official diplomacy has arguably had some impact in engendering those regional transitions.[2]

Nevertheless, efforts to arrive at some definitive conclusion about the nature and context of this broadened notion of diplomacy have not been entirely successful. This is largely due to the disagreement among analysts over the aims and accomplishments of non-official diplomacy vis-à-vis the Southeast Asian region. For the purpose of this essay, at least two broad observations, both apparently antithetical of each other, are noteworthy. On the one hand, non-official diplomacy in Southeast Asia is seen by some as emblematic of a growing and thriving civil society throughout the region, although it is clear that civil society is more developed in some regional states than others (Acharya 2003; Yamamoto 1995). On the other hand, this diplomatic form has also been viewed more critically as having supported and legitimated regional governments and their policies (Jones and Smith 2002a, 2002b, 2001a, 2001b; Khoo 2004). In this sense, non-official diplomatic agents, in their "licensed" role as "scholar-bureaucrats", ostensibly serve as a sort of shadow civil service, as it were.[3]

Upon closer inspection, however, a more complex picture emerges that calls into question the supposed coherence of that distinction. Against that backdrop, this paper analyses the evolution of non-official diplomacy in Southeast Asia in the post–Cold War era, paying close attention to the multifarious practices and processes in which non-official diplomatic agents engage that make them not only civil society participants whose ideas challenge the identity and interests of the state, but, paradoxically, also "civil servants" who promote and protect those very things. Whether this inherent tension is resolvable is open to question. If anything, the heterogeneous "nature" of non-official diplomacy resists efforts to fix and reduce it to an either/or option between civil society and "civil service".

Drawing upon Der Derian's (1987) "genealogical" interpretation of French diplomacy during and after the Revolution of 1789, this study seeks to examine various diplomatic forms and forces that comprise non-official diplomacy in Southeast Asia, including those that lie outside the pale of the modern "common sense" logic that underpins orthodox diplomatic theory but which play an integral part in the ongoing formation and preservation of modern diplomacy.[4] As Maurice Keens-

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Soper (1973, p. 913) once conceded, it may "be more accurate to say that diplomacy is partly defined by the invasions and distortions which permanently threaten its purposes". In this respect, this article argues that non-official diplomacy embodies and embraces both orthodox diplomatic as well as radical "anti-diplomatic" practices, which coexist in irresolvable tension with one another. By probing the ambiguities and contradictions of non-official diplomacy, we find that the enduring story of diplomacy has been and is being defined more by the demands of a hyper-realist and state-centric reading of diplomacy and less by actual day-to-day activities of which diplomacy consists.

The Many Faces of Modern Diplomacy

James Der Derian's (1987) conceptual categories of "diplomacy", "anti-diplomacy", and "neo-diplomacy" are particularly useful for capturing various diplomatic activities that exceed the representational limits of modern diplomatic theory.[5] "Diplomacy" follows closely the modern conception of diplomacy as essentially state-to-state relations characterized by order and continuity, ruled by common sense, and which preserve the *raison d'état* (reason-of-state) principle. "Anti-diplomacy" refers to the vertical or hierarchical relationship between modern state and society. More specifically, it emphasizes the kinds of interactions between official and non-official or between state and society that are anathema to the purposes of modern diplomacy. They include dissident and resistance movements; in the case of revolutionary France, for instance, anti-diplomatic pressures emerged in the form of the bourgeoisie's push for political power. To the extent that interstate relations are affected by anti-diplomatic forces, one may think of the rise of revisionist regimes whose revolutionary experiences are perceived by other states as threatening the international status quo. In this sense, anti-diplomatic threats may arise in terms of the revolutionary regime's newfound international aggressiveness or the possible "spillover" of anti-diplomatic practices to other communities. Finally, "neo-diplomacy" refers to alternative forms of mediation practised by non-official diplomatic agents that may prove either instrumental or detrimental to the purposes of diplomacy.[6] Neo-diplomatic forms, such as "people-to-people" diplomacy, are not necessarily new to the extent that historically they have, in effect, been in existence (Woods 1993). That they have attained greater visibility in recent times, as has been the case with non-official diplomacy in Southeast Asia is due to the proliferation of Track 2 and other networks linking various interested individuals and groups throughout the region.

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It is entirely possible that the interplay of incipient diplomatic forms, anti-diplomatic resistances, and compromises between those opposites heralded the arrival of modern diplomacy. Revolutionary France is an interesting historical example of how multiple diplomatic forms have clashed, reformulated, regressed, and stabilized, but remain ever "at risk" of further transformations. However, unlike the teleological story of modern diplomacy, such alternating subversions and consolidations did not evolve in a rational course, guided by — in ways reminiscent of Kant's appeal to universal Reason — a common sense at once heroic, universal, and un-beholden to history, and eventuating in the current diplomatic form (Gramsci 1971, p. 326).

In their dealings with anti-diplomatic forces, proponents of old-style diplomacy resort to tactics of accommodation and marginalization that reflect "lowly origins" (Nietzsche 1956). Edmund Burke (1967), we may recall, famously inveighed against threats posed by the French Revolution to the diplomatic culture and enterprise shared by the monarchical European powers as well as to the very identity of Britain. That the Revolution was an estrangement from (if not repudiation of) the social composition, crypto-diplomacy, and power politics of the *ancien regime* could therefore have meant that the emancipation logic of the Revolution was, in an important sense, anti-diplomatic.[7] Amid these conflicts rose a non-official diplomatic form, neo-diplomacy, which, in accordance with Enlightenment objectives, aimed to transcend the intrigue, suspicions, and machinations of old-style diplomacy.[8] According to that logic, diplomatic agents represent all the people, not simply the aristocracy; it constitutes, as it were, a form of people-to-people diplomacy as well as state-to-state diplomacy.[9] The durability of this post-revolution neo-diplomacy was short-lived, however, for the exigencies, logic, and rhetoric of war, which culminated in the rise of Napoleon in 1799, rapidly obtruded upon the principles and practice of neo-diplomacy. In other words, the neo-diplomacy of revolutionary France was more or less overwhelmed by a hyper-realism wherein the "signs and symbols of realist realpolitik" were circulated in the economy of power and discourse in order to tame the incipient neo-diplomacy. As such, neo-diplomatic forms ended up being domesticated if not colonized by old-style diplomacy such that the former came to be deployed in diplomatic discourse as well as other related social discourses in the service of *raison d'état*.[10]

One can therefore say that post-revolution France instituted a form of diplomatic practice suitable for mediating relations with emerging democracies as well as absolutist regimes. From the *nouveau regime* came the beginnings of a diplomatic culture, expressed in the ongoing

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inclusion and exclusion of diplomatic forms both clashing and converging, that invokes the modern disposition towards the organizing of space and time along inside/outside divisions, especially the domestic/international divide of inter-*nation*-al diplomatic relations. With the co-option of the neo-diplomatic form by old-style diplomacy, the alliance between diplomacy and hyper-state-centrism was again stabilized, if only tentatively (Der Derian 1987, p. 183). In reason-of-state, the Machiavellian strategy for riding the vicissitudes of a crumbling medieval hierarchy comes full circle in the compromise (albeit a never fully settled one) between old Europe and revolutionary France.[11]

Non-official Diplomacy in Southeast Asia

In conceptual terms at least, non-official diplomacy in Southeast Asia may be read in terms not dissimilar to those which (*à la* Der Derian) defined revolutionary French neo-diplomacy: the supposition that relations between sovereign states, in order to be sound and healthy, ought to be based on relations between individual citizens. The gist of non-official diplomacy, according to one formulation, is as follows:

> In fact, democracies conduct their foreign relations through two channels. The one channel which is the formal channel is "state-to-state diplomacy" and our familiarity with this practice requires no further elaboration. The other channel of relationship between nations is an outgrowth of the concept of popular sovereignty applied to foreign affairs. It conducts no negotiations, dispatches no notes, signs no treaties, presents no demarches. It has come to be called "people-to-people diplomacy" — the direct reaching out of people to speak to other people, quite apart from the formal practice of their governments. (Joesoef 1977, pp. ix–xi)[12]

Thus understood, non-official diplomacy is in a sense neither novel nor unique (Woods 1993). In describing the historical European fascination with regional diplomacy, Hanns Maull (1994) has suggested that the perceived need among interested parties for networks and dialogue programmes possibly dates back to medieval or absolutist times where mutual understanding between members of different elites was easier, both linguistically and culturally. Non-official diplomacy today in Southeast Asia acts both in concert and at odds with official diplomacy to mediate interstate relations. Moreover, the growing complexity of technical, social, and environmental issues that comprise today's enlarged security agendas require that "non-state" agents participate to a greater extent in policy-making, thereby further altering diplomatic practices.

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Ostensibly, non-official diplomacy provides venues for "thinking the unthinkable", as it were. Members of the ASEAN-ISIS and CSCAP, for example, pride themselves on dealing with issues deemed sensitive or even taboo by governments and consequently excluded from the official diplomatic agenda. This is an equivocal claim at best, however. On one hand, it is arguable whether political-security issues are particularly sensitive in the light of the institutionalized and mostly bilateral security ties between ASEAN (Association of Southeast Asian Nations) member states. Indeed, that ASEAN's very formation had to do with political-security rather than economic reasons (as originally mandated), has never been in doubt except for sceptics of ASEAN cooperation. On the other, the issue of human rights (that is, civil and political rights and freedoms) for ASEAN regimes (and, one suspects, for dominant sectors of civil society as well) clearly *is*; again, it was non-official diplomatic agents who evidently took the lead in encouraging a security dialogue on the matter, but arguably a "government-endorsed" dialogue (Hernandez 1994; Katsumata 2003; Kraft 2000).

Nevertheless, that non-official diplomatic discourse seems almost always to gravitate to official positions only serves to highlight ever-present dispositions and practices at patrolling and taming aspects of discourse deemed radical, unruly, and hence potentially subversive to the state. To be sure, non-official channels of diplomacy also stand at risk of being relegated by states, which can either endorse or ignore the former depending on their preferences. In other words, non-official diplomacy is an arena in which *raison d'état* elements are incessantly at odds with anti-diplomatic elements such that the contemporary diplomatic culture of Southeast Asia today is partly defined by the "invasions and distortions" that threaten its very purposes (Keens-Soper 1973).

Civil Society Face of Non-official Diplomacy

Although civil society includes anti-diplomatic aspects, it clearly also encompasses facets that support and even promote the reason-of-state principle, or at least are sympathetic of it.[13] The rise of non-official diplomacy in Southeast Asia has long been associated with the emergence of an incipient regional community and trans-national civil society in the region (Acharya 2001; Yamamoto 1995). But as the following discussion suggests, the growth of civil society in the region can also be traced to certain ongoing developments that either challenge, or at least substantially complicate, the way diplomacy has long been

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practised in the region. How non-official diplomatic agents have engaged in these anti-diplomatic activities in both direct as well as indirect ways is clearly a question of interest.[14] In this respect, at least three developments are noteworthy.

The first development concerns the long-standing norm of non-interference that ostensibly underpins official diplomatic relations in Southeast Asia. During the Asian financial crisis of 1997–98, ASEAN members did not provide early warning to one another presumably out of deference to this norm. That this position is likely no longer tenable today has partly to do with efforts by regional epistemic and Track 2 communities, together with pressure from international institutions, to persuade regional governments concerning the need for change (Adler 2005; Callinicos 2001). Trans-national challenges such as the regional haze problem spawned by Indonesian bushfires and the various flu pandemics caused serious economic and health concerns, while mounting problems with drug and human trafficking and refugee flows proved equally worrying. Against this backdrop, non-official diplomatic attempts to raise awareness and proffer solutions, including calls to establish regional early warning and other preventive mechanisms – particularly those that involve intrusive measures — conceivably militate against the non-interference principle and potentially unsettle diplomatic conventions (Caballero-Anthony 2005; Tan and Boutin 2001).

Indeed, Bangkok's call to replace ASEAN's "constructive engagement" policy, which in itself is rooted in non-interference, with a more invasive "flexible engagement" could also be viewed as an anti-diplomatic initiative. The principal articulator of the "flexible engagement" initiative was Surin Pitsuwan, then Foreign Minister of Thailand, while Sukhumbhand Paribatra served as Pitsuwan's Deputy Minister — both veteran ASEAN-ISIS members who subsequently rose to the highest echelons of Thailand's Foreign Affairs Ministry. The initiative met with resistance from various member governments, including Hanoi and Yangon. Moreover, ASEAN's failure to provide a timely response to the violence in East Timor during its secession from Indonesia — despite urgent appeals from regional epistemic communities for concerted action[15] — also partly highlighted the shared circumspection among regional regimes about anti-diplomacy in general.

While ASEAN remains and will likely continue to remain divided on the issue of non-interference, there have been indications of some willingness among member states to adopt less dogmatic interpretations of the doctrine.[16] This is exemplified by the Association's decision in 2000 to institute a Troika system that would provide a rapid diplomatic response to unfolding crisis, the conduct of economic peer reviews, and the creation of an ASEAN Surveillance Process in regional financial

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cooperation. Indeed, in the light of the growing legalizing "imperative" that characterizes a fair bit of ASEAN's regional process today, the hallmarks of the once-venerated "ASEAN way" (decision by consensus, preference for informality and organizational minimalism, and so on) have increasingly come under duress.[17] Even the "mother" of taboo concerns, the political-security dimension, has not remained completely impervious, as evidenced by the discussion of domestic political concerns in Myanmar in the presence of its head of state at the ASEAN Summit in Singapore in 2002. Despite long-standing criticisms of ASEAN's constructive engagement with military junta-governed Myanmar, it is notable that at least prior to Aung San Suu Kyi's detention in 2003 and the coup against Khin Nyunt in 2004, non-governmental groups and individuals from the region have been making regular visits to Myanmar for the purpose of helping the Burmese leadership to "build institutional capacities", as it were, so as to facilitate their incorporation into ASEAN membership. At best, these incidents constitute a limited complication of non-interference, but they also represent instances of anti-diplomacy that, on occasion, have prompted hyper-realist diplomatic rejoinders.

The ongoing liberalization of Southeast Asian regionalism — partly the consequence of democratic transitions in the Philippines, Thailand, and, most recently, Indonesia — is another regional development with potentially anti-diplomatic tendencies (Acharya 2003). Regional cooperation in Southeast Asia has long remained the exclusive preserve of governments, while the engagement by civil society in that enterprise has been minimal despite the proliferation of Track 2 processes. However, post–Cold War attention to non-traditional security concerns have led to various campaigns on environmental degradation, human rights abuses, poverty and social justice sponsored by non-governmental organizations (NGOs) that have been pursued at the regional level and which occasionally contradict official policy as well as official diplomatic conventions. Against long-standing official positions on security matters, civil society groups seek to challenge the dominant discourse and practice of security and diplomacy in their efforts to "build constituencies for peace" (Caballero-Anthony 2004).

For the most part, NGOs active in Southeast Asia and elsewhere are understandably reluctant to collaborate with regional inter-governmental institutions, preferring instead to pursue their own separate networking and advocacy activities. Despite those constraints, there have been modest efforts by both governments and civil societies to promote dialogue over social and security issues. The ASEAN Peoples' Assembly (APA) conventions, held in Batam in 2000 and Bali in 2002 are good examples. Castigated as "an incoherent babble of voices"

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(Rashid 2001), the APA has also been viewed conversely as emblematic of the prevailing *zeitgeist*, wherein groups that for long harboured suspicions of one another are now collaborating to accomplish goals they cannot realize in isolation from or in hostile opposition to each other (Caballero-Anthony 2004). These sessions attest to the growing acknowledgement within regional officialdom of the significance of engaging with regional civil society, and can rightly be regarded as an embryonic step towards participatory regionalism. In so far as the APA succeeds as a regional mechanism for highlighting human security concerns in the region, the role of NGOs in humanitarian intervention and specifically peace operations would constitute a natural outgrowth of that progress. In this respect, the APA, as a civil societal effort at drawing together representatives from two non-official diplomatic tracks and collectively pressuring established diplomatic conventions, can be viewed as anti-diplomatic.

Finally, there is the growing agenda of regional cooperation against international terrorism and the conditions that engender and support it. States are today enlisting the assistance of humanitarian and relief organizations and other non-official actors in their wider counter-terror efforts.[18] On their part, regional security studies communities and their members have also weighed in on the issue of not only international terrorism in Southeast Asia, but that of political Islam as well (Gunaratna 2003; Ramakrishna and Tan 2003; Tan and Ramakrishna 2002), although it should also be noted that state responses to such non-official efforts have occasionally been ambivalent. Understandably, not all such efforts have been entirely supportive of extant interstate cooperation on counter-terrorism, with criticisms of concerns ranging from over-reliance by regional governments on praetorian strategies, weak state capacity and legitimacy, bureaucratic and inter-agency rivalry, enduring socio-economic and political disenfranchisement of Muslim populations, and the non-interference norm (Jones and Smith 2002b; Tan and Ramakrishna 2004). Moreover, as a recent review has put it, "the value-added" of such contributions has ironically been "to provide a service to governments by packaging and disseminating their information under the guise of independent expertise" (Hamilton-Hart 2005, p. 320). That said, the anti-diplomatic tenor of some of these efforts is, however, undeniable.

Along with other aspects of regional transition, the foregoing developments argue for the likelihood of increased pressures on regional governments to allow for a more participatory approach to regional diplomacy. Should these changes continue to occur in a sustained and substantive way, a "business as usual" approach to regional affairs may no longer be feasible. In that respect, the long-standing adherence to a

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purely state-oriented approach to regional diplomacy may either have to be revised to cater to changing regional perceptions of what best provides for the stability and prosperity of the region. But equally noteworthy for our purposes is the fact that regional diplomatic practice in Southeast Asia, among other things, is partly defined and moulded by a host of anti-diplomatic pressures that jeopardize the very conventions and purposes of diplomacy.

"Civil Service" Face of Non-official Diplomacy

Be that as it may, non-official diplomacy in Southeast Asia has also functioned in a "cheerleading" capacity on behalf of state interests (Jayasuriya 1994; Jones and Smith 2002a, 2001a, 2001b). Where the diplomatic activities of regional Track 2 networks are concerned, self-surveillance and regulation is evidenced in the ways non-official diplomats work to accommodate discourses that support a state-centred ontology and to marginalize other discourses that potentially subvert that ontology. For example, both the ASEAN-ISIS and the CSCAP have hitherto harboured an inveterate reticence about expanding their dialogue processes to include participation by other NGOs whose interests are perceived to be inimical to the diplomatic enterprise.[19] The ASEAN-ISIS has long debated the option to include certain NGOs, but have hitherto eschewed doing so for fear that its "hard-earned legitimacy" and agenda might be compromised.[20] Evidently, Track 2 diplomacy can be in practice a highly circumscribed exercise. That the state goal of non-official diplomatic forums is to yield "policy relevant" ideas and proposals is to subordinate anti-diplomatic initiatives (or the potential for such) to the more parochial parameters of modern diplomacy, which aim to maintain the regional status quo.

What is evident is the diplomatic compromise to which some non-official diplomats seem to have "resigned" themselves. Paradoxically, as a potential site in which to engage in the more innovative aspects of neo-diplomacy, non-official diplomacy exercises the self-regulation of such creative tendencies by implicitly subscribing to the restrictive and "safe" conventions of diplomatic orthodoxy. Just as monarchists in revolutionary France were able to secure modern diplomacy from the dangers of anti-diplomacy and neo-diplomacy by recourse to hyper-realism — aided, doubtless, by the fortuitous outbreak of war in Europe — there are equally vigilant practitioners of statecraft in non-official diplomatic communities, who, troubled by what they see as the giddy fantasies of dreamers who enthuse about regional institution-building and community formation as the key to the region's peace and prosperity, have inveighed against such idealism. Reasoning that peace

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in post–Cold War Europe, relative to Asia, is more plausible due to "the apparent satisfaction of the great powers with the status quo", an academic argued a decade ago that where Southeast and East Asia are concerned, "an ample pool of festering grievances [exists] with more potential for generating conflict than during the Cold War, when bipolarity helped stifle the escalation of parochial disputes" (Betts 1993/94, p. 64).

Likewise, another prominent analyst has noted that "in the long run it is Asia that seems more likely to be the cockpit of great power conflict. The half millennium during which Europe was the world's primary generator of war (as well as wealth and knowledge) is coming to a close". Hence, "for better or worse, Europe's past could be Asia's future" (Friedberg 1993/94, p. 7). Still another analyst (based in Southeast Asia) has rendered the even more interesting assertion that "certain primordial impulses, like ... a type of domination founded upon classical *raison d'état* [that are] inherent in the human condition will somehow remain dormant as long as the peoples and governments of the Asia-Pacific preoccupy themselves with the business of making money" (da Cunha 1996, p. x). That such prognostications about impending interstate conflict in the region have, in retrospect, generally been off the mark is not at issue here (Alagappa 2003, pp. ix–xv). That they serve to preserve and promote the reason-of-state principle and, in doing so, re-instantiate long-standing diplomatic conventions and norms perceptibly threatened by non-official diplomatic attempts at institution-building through hyper-realist interventions clearly underscore an inherent proclivity towards maintenance of the diplomatic status quo.

The writings of Kishore Mahbubani, diplomat–turned–academic dean, are illustrative of the proclivity of diplomatic orthodoxy to tame perceived anti-diplomatic unruliness. Highlighting the need for regional governments to eschew the high probability of conflict and turbulence in the region — a "natural groove of history", as he put it — Mahbubani (1998, p. 148) argues that if the region "is to defy the historical odds and make a smooth transition from one order to another, a new consensus must soon be forged". That is, a non-official diplomatic consensus regarding "what is to be done" in a region fraught with the tensions and contradictions that pervade and distort the diplomatic enterprise. Shortly after this appeal for consensus, Mahbubani again addresses the issue, this time in the context of the 1996 missile crisis in the Taiwan straits:

> We faced a danger then [the missile crisis], but we also saw a new opportunity because it woke up key minds in Washington, DC, Tokyo and Beijing on the importance of preserving the status quo. A new consensus emerged in the region: "Let sleeping dogs lie". This is why

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> we have not had any major geopolitical crisis in East Asia since March 1996, despite phenomenal historical change in our region. (1998, pp. 150–51)

He further elaborates on the "nature" of that new consensus:

> This consensus could rest on three distinct and somewhat unusual pillars. First, the current geopolitical order should be frozen in place. Under present circumstances no better order can be achieved. Second, all key players must develop a common understanding of the region's constraints and realities. Third, they will need a vision that draws out common elements from the region's tremendous diversity and so lay the groundwork for a sense of community. (1998, p. 139)

In promoting the need to forge a region-wide, non-official diplomatic consensus, what appears to be an open invitation to discussion can conversely be seen as a move to safeguard the diplomatic enterprise from being politicized. It is a move to securitize and sanitize the state-centric presuppositions of diplomacy from the sorts of questions orthodox diplomatic discourses "must refuse to ask if they are to affirm their foundations and sustain the limits that define them" (Ashley 1989, p. 259). Mahbubani's domesticating gesture is effected by way of a discourse implicitly predicated on *raison d'état*: preserve the *realpolitik*-based status quo; freeze in place the "current geopolitical order"; adduce a "vision" of, "lay the groundwork" for, a "sense of community" among states (1998, p. 139) — in short, to maintain and strengthen the ontological commitment to the state. On the one hand, the vaunted, non-official diplomatic consensus eloquently urged for and which, in ways not entirely clear, suddenly "emerged" in the aftermath of a missile crisis does not seem to merit the sense of triumphalism in his statement; his message, after all, is "do nothing". On the other hand, it is triumphalist in that it implicitly celebrates the logic of reason-of-state by disseminating it over and over again in diplomatic discourse to discipline those who dare wake the sleeping dogs of anti-diplomacy, with terrifying consequences.

Conclusion

The non-official diplomatic enterprise of Southeast Asia can thus be understood not as a well-defined and bounded community and arena of activity driven by common sense, but rather as a loose-knit ensemble of sites upon which diplomatic, anti-diplomatic, and neo-diplomatic forms and forces variously clash, converge, consolidate, and crumble. These forces meet in ways that unsettle the conventional understanding

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of modern diplomacy to which orthodox diplomatic theorists rigorously hold. That diplomatic "civil servants", in ways similar to the efforts by Burke and the French monarchists at domesticating the unruly forces of anti-diplomacy, continue to discipline the multifarious diplomacies put into effect by "civil societal agents" that transgress the boundaries which ostensibly define the limits of what properly constitutes diplomacy is evident in their discourses. In other words, diplomatic orthodoxy is, *inter alia*, also about "the forceful delimitation of the spaces in which [diplomatic interpretation] can operate" (Dillon 1995, p. 333).

But as this study has sought to show, the story of non-official diplomacy in contemporary Southeast Asia portrays a considerably more fluid and complex picture of diplomacy than apologists of diplomatic orthodoxy, who tend to reduce the ambiguous, complex world of Southeast Asian diplomacy to rather simplistic categorizations, would allow. Such categorizations have in effect removed from serious critical reflection the practices and predispositions — the "power politics", as it were — that make it possible for us at all to think and speak of modern diplomacy according to the delimitations that define and sustain diplomatic orthodoxy. How modern diplomatic agents have been able, for the most part, to affirm and sustain a reductionistic account of diplomacy is the result of a diplomatic historiography that presupposes an unproblematic teleology in international life. The ambiguous, contradictory, and undoubtedly complex world of the non-official diplomacy of Southeast Asia makes such reductionisms untenable.

NOTES

1 See, among others, Ball (2000), Desker (2003), Evans (1994), Katsumata (2003), Kraft (2000), Langford and Brownsey (1991).

2 This is most clearly expressed in idealist and constructivist writings that emphasize the role of epistemic communities and norm makers and takers in promoting ideas and norms that partly influence elite attitudes and policies on Southeast Asian regionalism (Acharya 1997, 2000, 2001). See also the special issue of *Pacific Review* 7, no. 4 (1994).

3 For instance, David Martin Jones and Michael Smith take umbrage with what they perceive as the willingness of those communities to forfeit their privilege of critique and role as the nation's intellectual conscience. Regarding Southeast Asian security discourse as a seriously flawed enterprise, they identify (by name no less) and summarily dismiss various Singapore-based intellectuals as "scholar-bureaucrats" who flatteringly but fallaciously portray ASEAN as "the basis of a new regional

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identity and dispensation" (2001a, p. 844). Elsewhere, they fault the collusion between scholars and statesmen wherein the former provide the requisite ideological ballast to a dubious brand of regional institutionalism which the latter have erected, one full of talk but empty of substance (2002b, p. 58).

4 As Harold Nicolson (1963, p. 24) noted in his seminal study on diplomacy, "it is not religious which has been the main formative influence in diplomatic theory: it is common sense".

5 I borrow the notion of ever-present tension between "reality" and our available representational resources from Soguk (1993, pp. 361–62).

6 A possible objection to Der Derian's approach is that while it implicitly claims to resist domestication by a state-centred metaphysics, its categories nevertheless *re-inscribe*, if only unintentionally, a view of diplomacy as organized around the very domestic/international distinction germane to statist assumptions (cf. Laffey 2000).

7 In this respect, the memorialization of the founding of "America", of the "New World", as in part the repudiation of much of that for which the "Old World" stands suggests that revolutionary America also evinced a form of anti-diplomacy in its fight for independence against the British. Indeed, the memory of anti-diplomacy remains a salient one in the ongoing re-presenting of what America "is" and "is not". For instance, when referring to the alleged deep-seated American distrust of diplomacy and diplomats, Barbara Tuchman (1972) wrote that, for many of her fellow Americans, "diplomacy means all the wicked devices of the Old World, spheres of influence, balances of power, secret treaties, triple alliances, and, during the interwar period, appeasement of Fascism". That such a representation runs counter to the *other* story of American diplomacy — one which has included, on numerous occasions, Old World–type diplomatic practices — implies that the conventional image of diplomacy is but one among many images, whose "orthodoxy" is not at all natural nor self-evident. Instead, it is sustained, and only tenuously so, by practices of representation, of statecraft.

8 For example, the diplomatic innovations of the French Foreign Minister Dumouriez in 1792 were quite radical even by today's standards: the call for a totally open diplomacy, with all diplomatic correspondence rendered available to the people, including the senior officials of other European powers (Der Derian 1987, pp. 175–76).

9 According to Thomas Paine, the American statesman Benjamin Franklin was the embodiment of the non-official diplomacy after the French Revolution: "He was not the diplomatic of a Court, but of *MAN*" (quoted in Hinsley 1963, p. 77).

10 According to Meinecke (1957, pp. 148–49), "It was the diplomat, sending in his reports, who was the acknowledged discoverer of the interests of states". The diplomat "found himself compelled to try and bring events, plans, and the possibilities at any particular time, over one common denominator. So it is that the beginnings of the new doctrine [reason-of-state] reach back to the beginnings of modern diplomacy — in what was for it the classic period of Machiavelli".

11 Despite occasional concessions to diplomacy as "dynamic, adaptive, and changing", conventional diplomatic theorists and historians tend to read diplomacy as if its meaning were essentially uncontested (Walker 1992).

12 For Berman and Johnson (1977, pp. 3–5), unofficial diplomats are "private citizens acting alone or attached to non-governmental organizations [who] became involved

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in the conduct of interstate relations [through] contact with private citizens or government officials from other countries as well as their own government".

13 This is best captured by Gramsci's well-known equation: State = political society + civil society. Thus understood, civil society is both the ground that sustains the dominance of the state as well as that from which challenges to the state can arise (Cox 1999).

14 Moreover, regional NGOs and other non-state agencies which engage in anti- or neo-diplomatic activities are often involved in the competition over patronage and resources.

15 For example, in the year 2003 alone, the contexts wherein these appeals took place included myriad Track 2 meetings such as: the National Institute of Defence Studies conference on "Nontraditional Roles of the Military and Security in East Asia", Tokyo, 21–22 January; the United Nations and Institute of Defence and Strategic Studies workshop on "The Third United Nations–ASEAN Conference on Conflict Prevention, Conflict Resolution and Peacebuilding in Southeast Asia: ASEAN/UN Experiences in Anticipating and Mediation Conflict", Singapore, 17–19 February; the 17th Asia-Pacific Roundtable on "Confidence Building and Conflict Reduction", Kuala Lumpur, 7–9 August; the "Initiative for a Southeast-Asia Human Development Report (SEA-HDR)", Manila, 18–20 August; the Asia Pacific Peace Research Association (APPRA) Conference 2003 on "Visioning Alternatives to Violence", Siem Reap, 21–24 August, and so on. For a complete inventory of multilateral Track 2 meetings on Asia-Pacific security, human security issues and community building, see *Dialogue and Research Monitor*, available at http://www.jcie.or.jp/drm/2003/track2.html#II.5.

16 While affirming that non-interference remains a cardinal Association principle, an Indonesian senior official nevertheless conceded that "it is no longer a principle which cannot be discussed" (Suryodiningrat 2000, p. 1).

17 As it is, the Association has not been particularly averse to arming itself with formal provisions for monitoring compliance through the use of regional mechanisms that have legally binding dispute-settlement authority backed by sanctions, such as the Southeast Asia Nuclear Weapons-Free Zone Treaty, the ASEAN Free Trade Area, or the Regional Haze Action Plan. Such agreements challenge the model of "soft" multilateralism cum regionalism with which ASEAN has long been associated. The latest expression of such ASEAN-styled formalization is the declared intention to establish an ASEAN Community (Caballero-Anthony 2005; Tan 2005, pp. 53–59).

18 "Foreign Assistance in the Age of Terror", remarks by Andrew S. Natsios, Administrator, United States Agency for International Development, 21 April 2004, available at http://www.usaid.gov/press/speeches/2004/sp040421.html.

19 Several Track 2 members, not least the late Gerald Segal, have expressed to this author their concern that expanding the dialogue process would only dilute its viability; more specifically, they argued that limiting the latitude of the process as well as participation is necessary in order to preserve the "legitimacy" of the Track 2 process.

20 Author's interview with Filipino Track 2 participant Malaya Ronas, who argued that "pragmatism" is the key to preparing proposals that would be acceptable for presentation to ASEAN SOM meetings.

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Contemporary Southeast Asia 27, no. 3 (2005): 388–405 ISSN 0219-797X

Transforming the Strategic Landscape of Southeast Asia

BERNARD FOOK WENG LOO

This article examines the implications for the regional strategic landscape of uneven regional military modernization in Southeast Asia. At heart, there is a fundamental issue that pertains to all military modernization — no military force can afford to be static in nature and capability. To remain relevant and effective, all military forces have to undergo periodic change, both in terms of their hardware and capabilities on the one hand, but also in terms of their doctrines and strategies, as capabilities change. As strategic conditions in Southeast Asia change — the demise of traditional internal security concerns revolving around revolutionary or armed separatist movements, and the movement towards greater emphasis on external security concerns — this has facilitated the increasing attention that regional armed forces have paid to the process of transformation from counter-insurgency towards conventional military postures and force structures. However, the ever-increasing pace of modern technological change and the increasingly high costs of modern military technologies complicate this modernization process. Not all states in Southeast Asia can actually financially afford to support this military modernization. This has resulted in an uneven process of regional military modernization that can shape the security environment of the region in ways that cannot be anticipated.

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Introduction

For too long, the study of Southeast Asian arms acquisitions has been asking the wrong question — whether or not there is a regional arms race. The typical regional answer, whether from policy-makers or analysts, has been a resounding no, that what has been taking place is force modernization, which suggests an essentially natural process by which states acquire military capabilities and upgrade them regularly through a natural process of obsolescence and replacement. There is some truth to this answer. Most of the armed forces of Southeast Asian states have been configured to meet internal security challenges that have, for some, only recently receded into insignificance; whereas for other Southeast Asian states, internal security challenges remain the predominant security concern for their armed forces. As such, by the standards of conventional warfare requirements, virtually all Southeast Asian armed forces have been weak and under-equipped. Inasmuch as internal security challenges have receded, the region's armed forces have had to undergo a process of reconfiguration and restructuring to take on new conventional military capabilities. To a large extent, therefore, the proliferation of conventional weapons in Southeast Asia has reflected these two needs — building up their material capabilities from very low levels, and re-configuring the respective armed forces from counter-insurgency (COIN) to conventional postures.

Nevertheless, this study argues that both explanations do not provide a sufficient understanding of the security implications of this military modernization process, in particular as some Southeast Asian armed forces begin to undertake agendas similar to what the United States Department of Defence currently refers to as military transformation, sometimes referred to elsewhere as revolutions in military affairs (RMA). Not all Southeast Asian armed forces are ready to undergo this sort of military transformation (Laird and Mey 1999, pp. 19–23). Even if most Southeast Asian military organizations are not transformation-ready, a process of conventionalization — shifting force structures and doctrines away from COIN to high-intensity, force-on-force military operations — has been under way for some of the states of Southeast Asia. What this study proposes to do is to use the prism of strategic stability to analyse the impact that recent Southeast Asian force modernization programmes have had on the regional strategic environment. In so doing, what emerges is an understanding that the transformation of military capabilities from COIN to high-intensity force-on-force operational capabilities also transforms the very business of strategy for Southeast Asian states in a potentially negative way.

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Key Assumptions

Understanding Strategy

Before the analysis can really get under way, it is necessary to make clear my key assumptions and definitions. The first is the notion of strategy, for which this study takes as its starting point the Clausewitzian definition — "the use of engagement for the purpose of the war" (von Clausewitz 1976, p. 177). A further refinement of this notion of strategy comes from Colin Gray, who defines strategy as "the bridge that relates military power to political purpose" (Gray 1999, p. 17). There is the immediate problem of disagreements over nomenclature. What is to some merely strategy is to some others, grand strategy, and to yet others, political strategy. What this study proposes is that these confusions are somewhat unhelpful, and to some extent pettifogging. These various disagreements gloss over the fact that they basically agree that at some point in the strategic process, an interface between political objectives and requirements and the military instruments of war is necessary.

This study proposes that one can understand the war-strategy nexus at three levels: at the highest level, the calculus that ideally policy-makers and military planners jointly make concerning the use of military power for the interests of the state; at the level of military operations, where military planners begin to calculate where, how, and how much of military power is to be used; and at the level of the tactical, where military planners calculate how the deployment of military forces in military operations will allow the state to realize its interests. What this does to the other instruments of national power — economic, diplomatic, and so forth — is to consign them to another field of inquiry, which is not to denigrate these non-military instruments of power, but to suggest that they have no place in this analysis.

The Clausewitzian paradigm of the war-politics-strategy nexus is contested (Keegan 1993; Hart 1931; van Creveld 1991). These critiques tend to argue that war is not simply an extension of politics by other means but that it incorporates other facets of the human condition, including culture, religion, or self-preservation. These critiques thus portray the Clausewitzian paradigm as an essentially ethnocentric view — reflecting a modern, Western European, state-centric political system. This study suggests, however, that these culture-based critiques are similarly guilty of ethnocentrism and of misreading Clausewitz. A weak defence of Clausewitz against these culture-based critiques would suggest that the politics-war nexus is not unique to Clausewitz, but is

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present in other cultural traditions — the classical Chinese and Indian thinking on the subject, for instance (Rangarajan 1992; Ames 1993). A stronger defence of the Clausewitzian paradigm suggests that both van Creveld and Keegan are guilty of misinterpretation. Why should politics not include justice, religion, and self-preservation? Furthermore, in arguing that war is the continuation of political intercourse by other means, Clausewitz was referring to what he perceived to be the eternal nature of interstate politics. In the relationship between different political entities — whether states or kingdoms — disputes over a whole range of issues are bound to arise at some point in time. How these disputes are resolved varies in each specific case — clearly, some disputes will be resolved amicably, but other disputes will prove to be so intractable to the relevant policy-makers that these actors conclude that no satisfactory resolution is possible without the use of force. This use of the military instrument is thus an act that exists in the realm of the political entity.

Strategic Stability and Accidental and Inadvertent Wars

This study understands the term strategic stability to mean a condition wherein the likelihood of accidental or inadvertent wars arising between putative adversaries is extremely low (Loo 2005). Strategic stability is a framework of analysis that focuses on structural conditions that predispose policy-makers towards sudden and reactive changes of existing non-violent strategies to violent ones. The framework attempts to show how policy-makers can be pushed, almost against their will, towards decisions for war that they neither want nor anticipate. In other words, strategic stability refers to a condition wherein policy-makers are less prone to strategic miscalculations that can end up in wars that neither side anticipates nor wants. The framework involves four broad sets of influences, three of which are structural in nature. These are geography, strategic culture, and military-strategic variables. This discussion focuses on the structural variables.

Geography is important in strategic stability in two aspects. The first, geopolitics, helps to shape the nature and tone of the hostile relationship, for instance, in providing conflicting territorial claims. Where there is a geographic component to a particular interstate conflict — whether it is about competition for access to scarce resources, the ability of communities to move freely from one location to the next, or disputes over antithetical cartographic visions — a condition of strategic instability may ensue. Geopolitics is thus a powerful influence on the creation and maintenance of a condition of strategic instability. The

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bilateral geopolitical disputes exist almost across the entire spectrum of states in Southeast Asia, and include both territorial and resource access disputes. The second, geostrategy, shapes the calculations that military planners and policy-makers make concerning the extent to which their state is vulnerable to aggressive military actions from their putative adversaries. This is especially true of the geostrategic conditions of the border regions (Midlarsky 1993, p. 121). These two conditions coincide with the essentially Kautilyan model of geopolitics in Southeast Asia, which posits the immediate neighbours as the "natural" enemies, and any state on the other side of the neighbouring state as a "natural" ally (Rangarajan 1992).

The second influence is strategic culture, which points to how images of the putative adversary (see, for instance, Kupchan 1994, p. 41) influence the proclivities of policy-makers to resort to the military instrument, "a people's distinctive style of dealing with and thinking about the problems of national security" (Hudson 1997, p. 202). These images, the result of ideational and material bases (such as ethnic or religious identities and history respectively), provide the intellectual lens through which policy-makers and population perceive and make sense of the strategic environment and the presence and nature of putative adversaries. Policy-makers who believe their state exists in a dangerous strategic environment are more apt to believe in evidence of specific threats to the state, whether real or otherwise.

This "virtual" conflict is then given meaning through the generation of military power, the third set of influences, which includes both the possession of military hardware as well as the doctrines that underpin the effective deployment of military force in battle. Military power is obviously important, not only because it manifests interstate hostility in the form of war, but also because policy-makers and military planners are conscious of the military power of their putative adversaries in their strategic calculus. Furthermore, threat perception has traditionally focused almost exclusively on capabilities (Cohen 1979, pp. 3–7). The key issue in understanding how the possession of military capabilities translates into strategic power very often is in the inter-related issues of strategic surprise and surprise attack, which refer to situations where one side has no idea of whether, where, when, or how the adversary will strike. Strategic surprise is always an attractive option, because of the widely held belief in its force multiplier effects — particularly so for policy-makers who are aware of their state's geostrategic vulnerabilities (Handel 1989, pp. 229–30; Schelling 1960, pp. 207–54). The reasons for strategic surprise can be attributed to intelligence failure, the ease with which deterrence and military preparedness can

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be circumvented. It is the fear of surprise attack arising out of, among other things, the awareness of the possibility of intelligence failure, that can ironically lead to the outbreak of otherwise unintended armed conflict (Betts 1982, pp. 141–49; Betts 1992, pp. 483–513). Inasmuch as putative adversaries do not possess significant amounts of military power that can directly threaten the state, policy-makers and military planners are less likely to view their strategic environment in negative terms.

The flip side of strategic stability is strategic instability, where accidental or inadvertent wars can break out because the structural conditions that militate against such wars are either weak or non-existent. The worst-case scenario is one where two states are locked in a conflicting geopolitical conflict over either territory or resources. Their mutual historical experiences lead one state's actors to see their putative adversary in the worst possible light, as an existential threat. These perceptions are further exacerbated by the geostrategic conditions that lead the former to conclude that the terrain favours their adversary's offensive actions, not their own defensive actions. Finally, this putative adversary appears to not only have the military hardware to invade the former, it actually has the military doctrines that allow it to deploy its military forces in battle effectively and rationally. In other words, this putative adversary has the military capacity to threaten the interests, possibly even the existence, of the state.

The point to be made here is that if conflict were to break out in Southeast Asia, it will likely be either accidental or inadvertent. This is primarily because for a variety of normative reasons (for instance, Acharya 2001), the likelihood of rational utilitarian decisions for the resort to organized violence may be seen to be very low. It will not be the rational utilitarian imperative that drives the emergence of interstate conflict in the region. This therefore places a premium on frameworks that further understanding of this phenomenon and how the introduction of new military capabilities might undermine conditions of strategic stability in the region.

The Necessity of Modernization

Whether radical or incremental, this study assumes that all military organizations will periodically undergo processes of modernization. This is part of the broader phenomenon of the arms dynamic — the "entire set of pressures that make actors (usually states) both acquire armed forces and change the quantity and quality of the armed forces they possess" (Buzan and Herring 1998, p. 5). A key driver of this

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phenomenon is the ever-increasing rates of technological change and its impact on the machinery of warfare. Of course there are broader sets of drivers of the arms dynamic, including demographic changes, changes in the strategic environment of the state, bureaucratic imperatives, as well as action-reaction dynamics that underpin arms races. The underlying assumption of the arms dynamic is that international politics consists of sovereign state actors as the most important set of actors, that no higher authorities that can regulate the behaviour of states exists, and that states therefore have to fend for themselves, especially in the area of military security and defence.

In that respect, given that military technological changes are inevitable, the machinery of war has to undergo periodic change. It is somewhat analogous to the decision to sell an old car — the lack of spare parts for regular maintenance, poorer performance as the age of the car engine increases, higher levels of fuel consumption because of the absence of modern and more fuel-efficient engines, possibly even for reasons of pride and prestige. Military capabilities change over time, and on occasions, it might be necessary to review the modus operandi of the military organization, especially if new types of capabilities avail themselves and these new capabilities require radically different modus operandi for their effects to be maximized. The point is therefore not to make a normative judgement about the introduction of new military capabilities into Southeast Asia per se; rather it is to address the question of how these new military capabilities possibly can engender a condition of strategic instability.

Reviewing Southeast Asian Military Modernization

Matching Geopolitical Conditions with Military Assets

A rational arms acquisition process should address the predominant security concerns of the state. If this is true, and if the geopolitical conflicts within Southeast Asia genuinely reflect the security preoccupations of policy-makers of Southeast Asian states, then one should expect to find Southeast Asian force modernization processes to focus quite significantly on power projection and maritime capabilities that would allow these states to enforce their respective claims. Hence, one would expect to find acquisitions of such capabilities as airborne and maritime surveillance and patrol, limited force projection and support capabilities such as air refuelling tankers, air and maritime troop carriers. The evidence suggests that by and large, Southeast Asian militaries have been restructuring with their respective geopolitical and geostrategic conditions in mind.

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The Singapore Armed Forces (SAF) is probably the most rational in terms of its geopolitical and geostrategic conditions. The emphasis of the SAF has always been on the ability to project power in some limited fashion; hence the stress on modern air warfare platforms, air-refuelling capabilities, and maritime power projection. Its decision to boost its maritime capabilities can enhance the SAF's mission of protecting the sea lines of communication.[1] The Malaysian Armed Forces (MAF) had to temporarily halt its conventionalization programme — which included a shopping list covering air refuelling and airborne early warning platforms, helicopter gunships, main battle tanks and armoured fighting vehicles and multiple rocket launchers, as well as submarines and offshore patrol vessels — in the wake of the 1997 economic crisis. It is plausible that certain Malaysian planned acquisitions may have been driven in part by other Singaporean capabilities.[2] However, the maritime nature of Malaysia's geopolitical environment also likely exercises a powerful influence on its strategic calculus (Bright 2001, p. 48). This latter explanation also likely applies to Indonesia's recent focus on maritime capabilities.[3] In 1987 Vietnam promulgated a new national security doctrine that abandoned the past focus on a forward defence posture in Laos and Kampuchea in favour of an inward-looking defence policy.[4] Given its concerns over the Spratlys issue, Vietnam's current planned acquisitions revolve primarily around maritime and air capabilities.[5] The air force's MiG-21 fighters are being upgraded, and reinforced with a 1998 purchase of 24 new SU-27 jetfighters.[6]

Comparing Arms Acquisitions with Strategic Culture

The presence of geopolitical disputes over territory or access to natural resources notwithstanding, the fact is that virtually none of the Southeast Asian states view each other as existential-level threats. As such, it would be reasonable to assume that the modernization of Southeast Asian militaries would not reflect interstate competition or conflict, but rather attempts at rationalizing force structures with geostrategic conditions and security concerns.

The likely exception to this is Singapore, where one striking feature of its strategic culture is the pervasiveness of the discourse of vulnerability, a vulnerability that stems from its difficult geostrategic conditions and geopolitical location. This discourse of vulnerability is not limited to its policy-makers, but encompasses the wider academic literature as well (da Cunha 2002, pp. 108–32, 133–53; Leifer 2000; Singh 1999). A constant image that runs through this discourse is that of a "Chinese island in a Malay sea" (da Cunha 2002, p. 134; Lee 1998,

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p. 15). In that respect, it may be understandable why the Singapore government has continued to maintain defence spending at its 6 per cent of gross domestic product (GDP), and its continuing emphasis on air combat assets.[7] In addition, Singapore has been accorded observer status for the Joint Strike Fighter program, which is seen as a replacement for the F16C/D.[8]

For the other Southeast Asian states, however, given the absence of perceived existential-level threats to their security, one would expect their defence spending and arms acquisitions programmes to be significantly less intensive and extensive than Singapore's. Malaysia's arms acquisition programmes, however, belie these expectations. The Indonesian, Singapore, and Thai purchases of F-16A/B aircraft were likely the main influences behind Malaysia's initial consideration of the Tornado aircraft. Malaysia eventually abandoned the Tornado option in favour of F/A-18s and MiG-29s, the acquisition of which led Defence Minister Najib to place the MAF on par with its immediate neighbours.[9] In February 2002, Najib announced that Malaysia would resume its military conventionalization programme, focusing on PT-91 main battle tanks, bridging capabilities, infantry fighting vehicles, and 155 mm self-propelled artillery and multiple-rocket launching systems; SU-30 fighters, Mi-17 helicopters, and possibly F/A-18 Super Hornets and Airborne Warning and Control aircraft. Thailand has been downsizing and rationalizing its armed forces to make it a better-trained and more professional force.[10] In comparison, Indonesia devoted the lowest percentage of its GDP, about 1.5 per cent on average, on defence in the 1990s, which — among other things — demonstrates its preoccupation with internal security.

Southeast Asian Arms Acquisitions and the Generation of Strategic Power

Are Southeast Asian states acquiring the power projection capabilities that would give them an offensive strike capability?[11] More importantly, are Southeast Asian states acquiring capabilities that would give them at least some limited form of surprise attack capability? The answer to these questions has to be a guarded no. By and large, Southeast Asian states have not been acquiring these types of capabilities that might lead analysts to raise alarm bells. There has been a certain degree of correlation between the geographic concerns of these states, their strategic cultures, and their arms acquisition programmes.

The exception is Singapore, which has maintained an interest in some offensive strike assets, such as air-refuelling platforms, heavy

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airlift capabilities, and main battle tanks. These interests have been reflected to some extent on the Malaysian side. Certainly the Malaysian interest in airborne early warning systems is indicative of its concerns about being caught unawares. In 1997 Indonesia concluded an agreement with Russia to purchase SU-30Ks and Mii-17 helicopters. This was subsequently cancelled later that year due to the economic crisis. In May 2002 both countries, however, agreed to continue to cooperate in defence and trade through a counter-trade system.[12] In 2003 then-President Megawati agreed to the initial purchase of two SU-20s, two SU-27s and two Mi-35 helicopters, eventually leading to forty-eight SU-20s and SU-27s by the end of the decade.[13]

Myanmar has sought to develop a conventional military capability that is to some extent motivated by Thailand's growing military power, but has been hampered by its lack of foreign exchange.[14] Its planned naval build-up programmes will likely feature Chinese hulls and Israeli electronics.[15] Its Chinese-built F7 jetfighters are being upgraded with Israeli avionics.[16] By and large, however, Myanmar's focus in arms acquisitions is directed towards its internal security rather than external defence requirements.[17] While its historical animosity with Thailand might be a factor in its ambitions to develop its conventional military capabilities, apart from its naval programmes, there is little evidence that the capabilities that Myanmar seeks would provide it with even a rudimentary power projection capability.

Vietnam has been relatively quiet in terms of its arms acquisition programmes, despite the various deficiencies in the Vietnamese military, especially with regard to the country's maritime interests (Klintworth 1999). The air force's upgrading programmes mentioned earlier will probably go some distance towards answering these deficiencies, but more substantial investment will probably still be needed to completely modernize Vietnam's armed forces. As with Myanmar, these capabilities fall short of providing Vietnam with even rudimentary power projection capabilities. As for the Philippines, its focus remains directed almost exclusively towards its internal security challenges. In 1999 the Philippines resumed large-scale military exercises with the United States, with the ratification of the Visiting Forces Agreement. With this, the Philippines is now able to access discarded or surplus US equipment under the US Excess Defence Articles programme, for instance, UH1H helicopters, S70 Black Hawk helicopters, unmanned aerial vehicles and coastal patrol vessels. Perry-class and Knox-class frigates may in future also be refurbished for the Philippine Navy.[18] There are plans to acquire a number of second-hand F5E Tiger combat aircraft, possibly from Taiwan. A small squadron of three modern maritime patrol aircraft

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has also been officially identified as an important priority.[19] Apart from its focus on internal security, these are capabilities that the Philippines either desperately needs to replace extremely antiquated legacy systems, or are consonant with its archipelagic nature.

Implications for Strategic Stability in Southeast Asia

Regional Political Constraints on the Use of Force

Absent from the analysis thus far has been some attention to the nature of political relationships between Southeast Asian states. This is important, because the intra-regional geopolitical disputes and the manner in which Southeast Asian states view one another and their respective military capabilities has to be situated within the context of the conditions of the intra-regional political relationships. Absent the Indonesian Confrontation against Malaysia and Singapore and Vietnam's invasion of Cambodia, Southeast Asia has otherwise been relatively free of intra-regional wars. While territorial and resource disputes may continue to persist, many of these have been managed by a variety of political and diplomatic measures.[20] If nothing else, there may be a normative political culture in Southeast Asia regarding an apparent "ASEAN way" regarding the resolution of intra-regional disputes and conflicts.

That being said, it is possible that a potential danger is being introduced into the region. It is plausible to postulate the "ASEAN way" highlighted above as an explanation for the fact that territorial disputes in Southeast Asia have thus far been resolved non-violently. An equally plausible argument, however, points to the previous absence of significant amounts of conventional military capabilities in Southeast Asian armed forces as the main explanation for the prevalence of non-violent dispute resolutions. If it is the case that the latter argument possesses greater explanatory power for understanding the absence of intra-regional violence in Southeast Asia, then the recent trend towards the conventionalization of Southeast Asian armed forces might be potentially problematic. Given the existence of intra-regional geopolitical grievances, set against a strategic culture based on a Kautilyan mandala system of threat identification, the introduction of increasing conventional military power that provides at least some limited forms of power projection could be a recipe for future conflict between states in the region.

The case of Singapore-Malaysian relations might prove illuminating. The relationship undergoes periodic peaks and troughs, with occasional

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calls from political elements from either side for their policy-makers to seriously consider using military force to finally resolve whatever long-standing dispute exists between both states. That nothing in the past has happened could plausibly be attributed to the ability of policy-makers on both sides to maintain control of their domestic political forces, or to wiser heads prevailing within policy-making circles. An alternative explanation could be that at least until fairly recently, Malaysia did not possess the material capacity to seek a military resolution of its disputes with Singapore. It now has — which is not to say that either side would seek to do so. Nevertheless, Singaporean policy-makers could in the past be more sanguine about such Malaysian threats — currently, with a Malaysian Armed Forces that is undergoing fairly rapid conventionalization, this might no longer be a luxury. The point is that, given that strategic stability in this discussion is understood in terms of how policy-makers' strategic miscalculations might lead to accidental or inadvertent conflicts, the tendency for such miscalculation may increase as more and more states in the region acquire conventional military capabilities that give them some limited forms of power projection. How the strategic landscape for Singapore-Malaysia relations is being transformed may therefore be a template for how further relationships within Southeast Asia might also transform.

Of course, it is possible to argue that it is the nature of the political relationship that trumps all other imperatives of strategic stability. In other words, notwithstanding the increased tendencies for strategic miscalculations, such regional normative imperatives as the "ASEAN way" might have sufficient power to override other imperatives that encourage strategic miscalculation. It would also be a mistake to assume that such strategic miscalculations occur in a political vacuum. Obviously, the increased tendency for strategic miscalculation exists within periods of increased interstate political tensions. That is likely the point of ASEAN's normative imperatives and its various conflict management mechanisms — to minimize the likelihood of strategic miscalculations that could lead to inadvertent wars.

Extra-Regional Constraints on the Use of Force

What has also been absent from the discussion thus far is the importance of extra-regional constraints on the use of force. These external actors have several powerful instruments of leverage over Southeast Asian states, of which economic instruments are but one (primarily through trade, since most Southeast Asian states have external actors like the United States, Japan, or Europe as their most significant trading partners).

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Such economic instruments are not to be taken lightly, particularly in the realm of strategic materials such as fuel. The outstanding case of this form of action was the US embargo of oil and other strategic materials to Japan during the Sino-Japanese War preceding the outbreak of World War II.

Of key interest to this article, however, is the influence that external actors can have through the instrument of arms sales and other military sanctions such as arms embargoes (Lopez, Cortright, and Wagler 2000). The overwhelming majority of Southeast Asian arms acquisitions programmes have been sourced externally — either from the United States, Europe, Russia, or newer players in the global arms market such as Brazil or South Africa. Furthermore, the geopolitics of Southeast Asia cannot be considered absent other external actors, such as the People's Republic of China and Japan, both of whom dominate the economic landscape of the region, along with the United States and Europe. The net result is a region that is vulnerable to external pressures. Both Europe and the United States have in the past withheld arms transfers and sales on the basis of security concerns. South Korea has had to deal with a long-standing US reticence to sanction the sales of sophisticated combat air assets on the basis that these might undermine the apparent fragile stability of the Korean peninsula. The United States has maintained a long-standing sanction against arms sales to Indonesia on the basis of the latter's human rights record. And for states such as Singapore, which maintains a large fleet of its F-16C/Ds in the United States for training purposes, this places the country in a vulnerable position — in the event of a conflict involving Singapore, the United States might decide to embargo the transfer of these air combat assets to Singapore. The potential of such arms sanctions must surely be a source of considerable worry for the Singapore government as such. The net result is that these external actors exercise a restraining influence on potential strategic instability in Southeast Asia.

Complications for Deterrence

For the regional actors that are engaged in military transformational agendas akin to that of the current US military transformation, a further complication arises in terms of the power of the deterrent message. The current transformation (analogous to what others would call a "Revolution in Military Affairs") is predicated largely on dramatic changes in information and communications technologies, emphasizing enhanced dominant battlespace knowledge based on networks of sophisticated sensors, and delivering munitions at levels of accuracy hitherto unimaginable. What a transformed military might look like —

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with its emphasis on networks, sensor technologies, communications and computing technologies — may be quite radically different from a more conventional counterpart, with its greater emphasis on platforms and precision munitions. A key argument in the transformational agenda, especially from the United States, is the notion of leveraging on technological superiorities for force multiplier effects, thus allowing for quite drastic reductions in force levels, manpower, and numbers of expensive weapons platforms. Such arguments make it attractive for states like Singapore — small population, technologically developed, and educated workforce.

Admittedly, only one Southeast Asian military organization is transformation-ready — the Singapore Armed Forces. However, as the modernization (and conventionalization) of the Malaysian, Thai, and Vietnamese armed forces gathers pace and matures, these will likely be the next candidates to engage in the transformation agenda described above. As it stands, even with one regional armed forces engaging in the process of military transformation, its impact on the regional strategic landscape and its effects on deterrence constitute an issue that remains under-studied.

A regional armed forces transformed along the lines of the current RMA, leveraging on quality over the lack of quantity, may still retain a powerful deterrent — delivering more "bang for the buck". This, however, ignores a powerful psychological element of deterrence. Platforms are a powerful manifestation of military might. Nothing quite indicates US military might as a nuclear aircraft carrier battle group, as the deployment of two such battle groups in the height of the last Taiwan Straits crisis demonstrated. The transformational agenda, with its emphasis on quality and technological sophistication as opposed to quantity, potentially undermines the deterrent message of traditional high-end platforms. For small states such as Singapore, a transformed military could hypothetically mean having the same "bang" but with significantly fewer weapons platforms; the difficulty might be in persuading its adversaries that it still retains the same "bang". Given that a key element in strategic stability is also the ability of states to deter potential aggression, this hypothetical point is at the very least a discomforting thought that policy-makers ought to consider.

Conclusion

Is there a transformation of the strategic landscape under way in Southeast Asia? The evidence in this study would suggest the answer is a guarded no. Southeast Asian states have undertaken force

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modernization programmes that have generally been consonant with their respective geographic and strategic cultural conditions. Furthermore, despite a continuing interest in developing a conventional warfare capability, the predominant emphasis still is on answering their unique security interests, which on the whole have been either internal or, if external in nature, maritime rather than territorial. This is seen in the ongoing emphasis on maritime and air platforms rather than conventional land strike capabilities. This analysis characterizes that programme currently under way in Indonesia, Myanmar, the Philippines, and Vietnam. To some extent, maritime concerns are also reflected in Malaysia's acquisition programmes.

The one exception to this analysis has been Malaysia and Singapore, both of which appear to be locked in a competitive acquisition dynamic. But these are two countries that have largely been devoid of internal security concerns. It is possible to see Singapore's acquisition programmes as part of a longer-term plan to develop a coherent conventional warfare organization, first concentrating on developing its air combat capabilities, followed then by land and finally maritime capabilities (Loo 2004, pp. 352–74). Certainly the current focus on maritime capabilities, after the SAF's air and land combat capabilities have matured, is indicative of this broader trend. The competitive streak, however, is difficult to deny, either from Malaysia or Singapore. Singapore unveiled its AH-64D Apaches hot on the heels of Malaysia's announcement of its PT-91 MBT acquisitions. Even though the AH-64Ds were acquired well before, the timing of its unveiling is likely related to the Malaysian acquisition.

There clearly is no regional arms race, because the states of Southeast Asia do not arm themselves with the entire region in its security mindset. Rather, if they do arms themselves with other states in mind, it is more likely those states that are geographically contiguous. This is certainly the case with Singapore and Malaysia, and likely with Myanmar and Thailand. The other states have undergone force modernization programmes that address their broader security interests — protection of maritime resource areas, to cite the most important. What this means is that there remains little to be overly concerned about. As yet, arms acquisitions in Southeast Asia still broadly answer strategic conditions and concerns, which are generally not country-specific. The desire to seek conventional capabilities may be incongruous with the geographic interests of some of the Southeast Asian states, and inasmuch as these states do eventually acquire this conventional capability, then security in Southeast Asia will truly be transformed. The trick, it would appear, would be to find some way to introduce these new capabilities into the

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region without upsetting the condition of strategic stability that has thus far prevailed.

NOTES

1 See "Singapore's Navy Takes Shape", *Asian Defence Journal*, May 2003, p. 12; "Republic of Singapore Navy Today", *Asian Defence Journal*, May 1999, p. 20; and Saw (2001). The shopping list includes new submarines to replace its existing four ex-Swedish models, six DCN Lafayette frigates, and naval helicopters for both the frigates and the four endurance-class landing ship tanks (LSTs).

2 "Malaysia Chases Others in Refuelling Capabilities", *Jane's Defence Weekly*, 22 January 1997, p. 12.

3 *Naval Forces*, February 2001, p. 48; "Jakarta Warships Plan to Give Navy New Life", *Straits Times*, 20 September 2003, p. A16.

4 *Asian Defence Journal*, October 1998, pp. 24–25.

5 *Naval Forces*, February 2001, p. 49; *Jane's Defence Weekly*, 24 March 1999, p. 15. In the pipeline are planned purchases of new frigates, patrol craft, and fast missile boats.

6 *Jane's Defence Weekly*, 6 January 1999, p. 12.

7 *Asian Defence Journal*, August 2001, p. 12; "Singapore: Deconstruction Forges Ahead", *Jane's Defence Weekly*, 27 June 2001; Saw (2003). Singapore is currently in the midst of a planned acquisition of up to 48 fourth generation combat aircraft, the final candidates being the Dassault Rafale and upgraded F-15T.

8 "Singapore: Deconstruction Forges Ahead", *Jane's Defence Weekly*, 27 June 2001.

9 *Asian Defence Journal*, August 1994, p. 86.

10 "A Fresh Approach", *Asiaweek*, 19 November 1999, p. 45; "Thai Army Turning into Leaner and Meaner Force", *Straits Times*, 20 October 2001, p. A11.

11 The term "strategic power" is used to connote the translation of military capabilities (in the form of weapons systems and platforms) into a coherent instrument of strategy, that is, the coherent use of military force in pursuit of state objectives.

12 "To Sukhoi or Not to Sukhoi", *Indonesia Digest*, no. 24, 6 July 2003.

13 *Asia-Pacific Defence Reporter*, June 2003, p. 11.

14 For instance, it has used rice to barter for 20 130 mm artillery pieces from North Korea. See *Jane's Defence Weekly*, 5 August 1998, p. 19.

15 *Asian Defence Journal*, March 2003, p. 7.

16 *Asia-Pacific Defence Reporter 1999 Annual Reference Edition*, p. 23.

17 *Asia-Pacific Defence Reporter*, February 2002, p. 20.

18 *Asian Defence Journal*, July 1999, p. 62; *Asian Defence Yearbook 2000–2001*, p. 114.

19 *World Defence Almanac 2002–2003: Military Technology* 27, no. 1 (2003): 306.

20 Malaysia and Indonesia recently settled their dispute over Sipadan and Ligatan islands through the International Court of Justice, while Malaysia and Singapore have agreed to refer their dispute over Pedra Branca/Pulau Batu Puteh to the same mechanism.

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Contemporary Southeast Asia 27, no. 3 (2005): 406–28 ISSN 0219-797X

Democracy in Cambodia — One Decade, US$5 Billion Later: What Went Wrong?

RONALD BRUCE ST JOHN

In an age of heightened emphasis on democratization, the Royal Government of Cambodia illustrates many of the serious challenges which must be addressed to implant and nurture democracy in less developed political economies. The national elections conducted in 1993, celebrated at the time as a unique achievement, failed to spark requisite change in the political culture of Cambodia. Rejecting central elements of the democratic process, such as power-sharing and loyal opposition, the Cambodian elite later drew on long familiar aspects of traditional political culture to promote modernization within an authoritarian political model. The international community, which provided some US$5 billion in aid to the Royal Government of Cambodia over the ensuing decade, was complicit in the creation of this new political order in that it long hesitated to make the provision of aid conditional on meaningful political reform.

With the end of the Cold War, the number of states embracing some form of democratic government dramatically increased. Early in his first term, President Bill Clinton proclaimed democracy was on the march around the globe. President George W. Bush later articulated a bold strategy to spread freedom and democracy throughout the world. Given the widespread interest in democratization and the spread of civil society, the Cambodian experience after 1993 provides a sobering example of the challenges which must be addressed to nurture democracy in less developed political economies.

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Introduction: Great Expectations

After more than two decades of civil war, the opposing factions in Cambodia concluded in October 1991 the Paris peace accords, four separate but related agreements. One of those pacts, the "Agreement on a Comprehensive Political Settlement of the Cambodian Conflict", called for the United Nations to create a transitional authority in Cambodia to serve as an interim force to run government ministries, verify disarmament, and organize elections for a constituent assembly. A second, the "Declaration on the Rehabilitation and Reconstruction of Cambodia", called for international assistance for Cambodia's economic reconstruction. Collectively, the Paris agreements "constituted the institutionalisation of democratisation, providing the key ingredients and the mechanism for super-imposing them on the subject country: Cambodia" (Roberts 2001, p. xv).[1] Donor nations later met in Tokyo in June 1992, pledging US$880 million towards the reconstruction of Cambodia. At the same time, they agreed to form an International Committee for the Reconstruction of Cambodia (ICORC) to assist in planning and managing reconstruction programmes once a new Cambodian government had been formed (Sanger 1992; Heininger 1994, pp. 56–57).

As provided in the 1991 agreements, the forces of the United Nations Transitional Authority in Cambodia (UNTAC) were in operation by early 1993 in what became the largest, most sophisticated post–Cold War UN intervention to that time. UNTAC forces subsequently proved generally successful in resettling refugees and organizing nationwide elections (Brown and Zasloff 1998, pp. 91–161; Shenon 1993). They were far less successful in implementing a ceasefire and disarming competing political forces, most especially the Khmer Rouge. In a harbinger of things to come, UNTAC also experienced problems in containing violence and promoting human rights (Mallet 1993; Hughes 1996, pp. 43–71).

Given the pervasive atmosphere of threat and intimidation during the campaign, the actual conduct of elections was a huge success, largely free of violence. On the first day of balloting, voters lined up in driving monsoon rains, often hours before the polls opened. In the course of the six-day polling period (23–28 May 1993), more than 89 per cent of registered voters, an estimated 97 per cent of Cambodians eligible to vote, cast their ballots in Cambodia's first national election in 21 years. When the votes were counted, the National United Front for an Independent, Neutral, Peaceful, and Cooperative Cambodia (FUNCINPEC) won 45 per cent of the ballots and 58 of 120 Constituent

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Assembly seats; the Cambodian People's Party (CPP), 38 per cent and 51 seats; the Buddhist Liberal Democratic Party (BLDP), 4 per cent and ten seats; and the Moulinaka Party, 1 per cent and one seat. The remaining 16 political parties contesting the election won only a handful of votes and no assembly seats (United Nations 1993; Hughes 2003, pp. 115–16).

Exactly what Cambodians voted for in 1993 has remained a highly controversial subject. In Cambodia, the Western concept of a loyal opposition was an imported idea alien to traditional political culture in a country where no government had ever given up power without fighting. In this context, observations by journalist John Brown in the immediate aftermath of the 1993 elections proved both thoughtful and clairvoyant: "There is evidence that Hun Sen and the CPP understand power only in absolutist terms. It is possible that for them, power is not shared, it is accumulated and protected. Governments are not transformed, they are over-thrown" (Brown 1993). William Shawcross, a veteran Cambodia watcher, best captured the atmosphere prevailing in the summer of 1993. "Over most of the country, people had voted for peace, for reconciliation, for [Prince] Sihanouk, and, perhaps above all, for change". He concluded "it was a lot to hope for" (Shawcross 1994, pp. 20–23, quote p. 23). In the end it proved far too much to hope for.

FUNCINPEC, launched by King (then Prince) Sihanouk in the 1980s, emerged from the elections as the largest and most successful political party; but its plurality in the Constituent Assembly was three seats short of a majority. Second in the balloting, the CPP retained the largest armed force and the most effective administrative structure in Cambodia. Since neither party commanded the two-thirds majority necessary to pass a new constitution, FUNCINPEC and the CPP were forced to cooperate. After tough negotiations, the two parties in late June 1993 reached agreement on a power-sharing arrangement, forming the Provisional National Government of Cambodia (PNGC). Prince Ranariddh, the head of FUNCINPEC, and Hun Sen, the CPP head, designated themselves co-chairmen as well as co-ministers of defence, interior, and public security, with the remainder of the Cabinet providing 13 places for FUNCINPEC, including the important ministries of finance and foreign affairs, 16 places for CPP, three for the BLDP, and one for Moulinaka. The power-sharing arrangement also provided for each CPP minister to have a FUNCINPEC deputy and vice versa, strengthening Ranariddh's capacity to be a patron and distributor of largesse and helping to explain his acceptance of the deal. In addition, the formation of the PNGC had the benefit of stabilizing the immediate post-election period, leading to the adoption by the Constituent Assembly of a new

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constitution which restored King Sihanouk to the throne, an event viewed with considerable nostalgia by war-weary Cambodians. The constitution transformed the Constituent Assembly into a National Assembly and opened the way in October 1993 for the formation of the Royal Government of Cambodia (RGC) (Jennar 1995, pp. 5–31; Thayer 1993; Roberts 2001, pp. 126–49; Hughes 2003, pp. 117–18).

Even though the CPP lost the 1993 election, it still demanded equal power in the coalition; and in theory, the ensuing power-sharing agreement was a 50:50 arrangement. In practice, the CPP used its power and reach at lower levels of government, deeply ingrained after 1979, to outmanoeuvre FUNCINPEC, progressively accumulating a disproportionate share of political power after 1993. In so doing, it soon became apparent the Cambodian political elite was not as committed to democracy as the Cambodian people. The power-sharing arrangement in 1993 was the first in a series of such agreements between the two parties over the next decade. Increasingly dominated by CPP, the cumulative impact of these agreements soon made oxymoronic the very thought of power-sharing in Cambodia (Roberts 2001, pp. 122, 124, 164–65, 207).

Noble Vision

Following approval of the new constitution, the Royal Government of Cambodia in March 1994 presented a national development plan to the International Committee for the Reconstruction of Cambodia (ICORC). The vision articulated in the *National Programme to Rehabilitate and Develop Cambodia* included reform of the state, its institutions, and its public service in order to attain political and socio-economic priorities; reliance on private entrepreneurship and the free market as engines of growth; and strengthened self-reliance to reduce dependence on external financial and technical assistance. In turn, the overriding objective of the plan, as articulated by the RGC, was "to achieve a fair, just and peaceful society and, through accelerating the rate of economic growth, to raise the living standards of all Cambodia people" (Royal Government of Cambodia 1994, p. 2).[2]

To accomplish these targets, the plan outlined five reinforcing strategies. First, the RGC planned to promote economic stabilization and growth through policies promoting long-term economic management, foreign investment, and private entrepreneurship. Second, it intended to reform the administrative and judicial institutions of the state through a clarification of the roles and responsibilities of administrators, together with the creation of fair and effective legal

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institutions. Third, the government sought to ensure structural adjustment and sectoral reform through the creation of codes of commerce and investment. Fourth, it planned to encourage and support sustained development by addressing infrastructure needs, expanding access to social services, and upgrading human skills. Finally, the RGC hoped to optimize the utilization of natural resources through conservation management and the effective protection of the environment (Royal Government of Cambodia 1994, pp. ii–iv).

The goals outlined in the *National Programme* were highly ambitious given Cambodia's recent history. Under Democratic Kampuchea (1975–79), the country was subjected to a radical economic, political, and social revolution in which the cities were emptied, the economy dismembered, and a large number of citizens killed (Twining 1989, pp. 109–50; Kiernan 1996, pp. 36–119; Short 2004). The economy slowly improved over the next decade; however, Cambodia remained largely isolated, suffering from the combined impact of civil war and an international embargo (Gottesman 2003; Slocomb 2003; Népote and de Vienne 1993, pp. 85–186).

Given this background, Cambodia's revised strategy for development, with its emphasis on social justice, national reconciliation, and economic growth, was exactly what international donors wanted to see and largely explains their early support for the power-sharing arrangement embodied in the Royal Government of Cambodia. Responding enthusiastically to the coalition government's plan, representatives from 30 nations and 12 multinational bodies pledged US$773 million in emergency aid to Cambodia in March 1994, lauding its progress in curbing inflation, boosting tax revenues, and stabilizing the currency (St John 1995a, p. 679).

Brutal Reality

The ruling coalition experienced regular crises after 1993 but remained intact for almost four years. The leading parties in the coalition, Prince Ranariddh's FUNCINPEC and Hun Sen's CPP, were often at loggerheads; nevertheless, each party appeared willing to contest the national elections scheduled for 1998. The Khmer Nation Party (KNP), a new opposition party formed in 1995 by ex-minister Sam Rainsy, architect of Cambodia's economic reform programme, claimed a membership two years later of some 250,000 people. In turn, the Khmer Rouge, due to defections and a loss of international support, were mostly a spent military and political force by 1997 (Peou 1997, pp. 83–90; Roberts 2001, pp. 150–61).

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With the security front improving and the political front stabilizing, Cambodia again suffered what professor Khatharya Um rightly termed its "seemingly limitless capacity for implosive self-destructiveness" (Um 1998, pp. 71–85, quote p. 71). In July 1997, Hun Sen launched a pre-emptive *coup d'état* against Prince Ranariddh, ransacking FUNCINPEC offices and newspapers as well as those of the KNP and pursuing the leaders of both parties. The coup itself was not unexpected, given the mounting competition between Hun Sen and Prince Ranariddh. In the run-up to the election, both the CPP and FUNCINPEC had been competing for the support of Khmer Rouge defectors, and FUNCINPEC was also negotiating a pact with Sam Rainsy's new party, threatening Hun Sen's political future. Hun Sen's troops and Ranariddh's bodyguards clashed more than once in the spring of 1997; however, it was the political alliance Ranariddh was negotiating with the KNP that appeared to provoke Hun Sen to action. While the coup was not surprising, its brutal nature shocked most observers, with civil rights activists estimating extra-judicial killings continued for days if not weeks. Hun Sen later sought to legitimize his actions, arguing that the events of 5 July constituted a legal act, not a *coup d'état*, and promising free and fair elections in 1998 (Peou 2000, pp. 298–305; Barber 1997; Bardacke et al. 1997).

The United States was the strongest critic of the July 1997 coup, initially suspending economic aid but later looking to the 1998 elections to legitimize political authority in Cambodia. The Association of Southeast Asian Nations (ASEAN) immediately postponed Cambodia's admission, scheduled for later in the month, and pursued an abortive mediation of the dispute. The Japanese government argued from the outset that the most productive reaction to the coup would be to ensure that the 1998 elections took place as scheduled. Japan later brokered an agreement between Hun Sen and Prince Ranariddh, which enabled the latter to return to Cambodia and participate in the elections (Hughes 2003, pp. 104–9; Brown and Zasloff 1998, pp. 265–66).

The national elections held in July 1998 were highly reminiscent of those conducted in May 1993. Electioneering rhetoric was again couched in the lofty terms of democratization; however, the electoral process itself remained clouded by the now familiar dynamics of rivalry and intimidation among contending factions. As Pierre Lizée later observed, the elections were in many ways more a step backwards than a step forward: "To that extent, the 1998 elections and the series of political developments surrounding them represented not so much a first step in an overdue process of democratization of the political environment in Cambodia, but rather a movement full circle to precisely

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the situation of autocracy which these elections were supposed to remedy" (Lizée 1999, p. 79). In this sense, as Lizée noted, "the elections were not about who would form the next government" as much as "about what the very rules of political power would be" in Cambodia (Lizée 1999, p. 80).

In the July 1998 elections, the CPP won less than 42 per cent of the vote, FUNCINPEC almost 32 per cent, and the Sam Rainsy Party (SRP), formerly the KNP, a little over 14 per cent. Based on the proportional representation system in place, the National Election Committee, dominated by CPP supporters, distributed the 122-seat National Assembly as follows: 64 seats for the CPP, 43 for FUNCINPEC, and 15 for SRP (Schier 1998). Even though the CPP was awarded a majority of assembly seats, it still lacked the two-thirds majority necessary to form a government. After a prolonged period of mutual recriminations marked by outbursts of violence, the CPP and FUNCINPEC announced in late November 1998 the formation of a coalition government with Hun Sen as prime minister and Prince Ranariddh as president of the National Assembly (Hayes 1998; Hughes 1999, pp. 92–108).

FUNCINPEC during the 1998 election campaign, as it had done in 1992, emphasized the party's association with King Sihanouk. An effective strategy six years earlier, the decline in FUNCINPEC's share of the 1998 vote highlighted Prince Ranariddh's failure to convert the party's royalist appeal into tangible benefits for the Cambodian electorate. Over the next three years, Prime Minister Hun Sen was successful in aligning the *de jure* distribution of government power with the de facto distribution of bureaucratic and military power. He increasingly dominated the Cambodian political scene after 1998 with Prince Ranariddh no longer playing a meaningful role and his FUNCINPEC colleagues either cooperating with the CPP or dropping out of politics. In this sense, as Milton Osborne observed, Hun Sen remained in that "long tradition of Cambodian rulers for whom politics is a zero-sum game" (Osborne 2000, pp. 101–11, quote p. 103). While Sam Rainsy remained a vocal critic, his political effectiveness was diminished by the limited number of SRP seats in the National Assembly and his own tendency to spend large amounts of time outside Cambodia (Marston 2002, pp. 95–96; Hughes 2003, p. 118).

The degree to which CPP was effective in consolidating political power after 1998 was evident in commune elections held in February 2002. While hardly free from violence and intimidation, competing political parties and international observers alike judged the conduct of the commune elections acceptable, especially when compared with the previous two national elections. That said, the leading international

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election observer group, the International Recount Institute, denounced a series of "inadequacies and irregularities" in the polls, terming them "nowhere near best practice" (quoted in Myers 2002). Enjoying a prolonged monopoly over local government, a well-organized political network, and abundant human and financial resources, the CPP won a resounding victory, garnering 62 per cent of the votes, 68 per cent of the total seats, and 97 per cent of the top offices (Kumar 2002). While the CPP won a majority of posts in most councils, the election results marked the first time it would have to share local power with the SRP and FUNCINPEC. In this limited sense, the elections opened a new vista of competition for the opposition, especially the SRP (Osborne 2003, pp. 84–86).

The 2002 commune elections were a wake-up call for FUNCINPEC. Where the CPP achieved a net vote gain of 20 per cent over the 1998 general elections, FUNCINPEC's vote total dropped 8 per cent (Dobbs 2002). A number of factors contributed to the poor performance of FUNCINPEC, including the poor leadership of Prince Ranariddh and the party's subordinate role in its alliance with the CPP. FUNCINPEC's collaboration with the CPP brought an element of political stability but did not translate into an equal partnership. With patronage at the heart of the Cambodian political system, FUNCINPEC had less and less to offer its members. Consequently, a growing number of Cambodians no longer saw FUNCINPEC as a viable alternative to the CPP (Un and Ledgerwood 2003, pp. 114–16). As Grant Curtis earlier observed, "although not necessarily to the advantage of the Cambodian people, CPP politicians and bureaucrats were more rooted in the realities of Cambodia, all having been part of or surviving the Pol Pot period and with experience in the PRK/SOC administration" (Curtis 1998, pp. 21–24, quote p. 21). The widespread perception that FUNCINPEC's ties to King Sihanouk were no longer an important factor in national elections left the king deeply disturbed and led him to threaten abdication later in the year. In response, Hun Sen made it clear he would not tolerate an activist king attempting to challenge his constitutional powers (Osborne 2003, pp. 84–87).

A new round of national elections, held in July 2003, produced fresh gains for the CPP. With more than 80 per cent of eligible voters participating in the polls, its share of the popular vote jumped from around 42 per cent in 1998 to more than 47 per cent in 2003, winning 73 assembly seats or nine more than in 1998. The SRP also scored gains, increasing its vote share from a little more than 14 per cent in 1998 to almost 22 per cent in 2003. Surpassing FUNCINPEC for the first time, SRP won 24 assembly seats, nine more than in 1998. FUNCINPEC

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continued its decline, garnering less than 21 per cent of the vote compared with almost 32 per cent in 1998 and losing 17 assembly seats. FUNCINPEC had become a diminished factor in Cambodian politics in large part due to the inept leadership of Prince Ranariddh, factionalism within the party, compromising alliances with the CPP, and the marginalized role of King Sihanouk who was only tolerated by the government (Coren 2003; Chea Chou 2003; Albritton 2004, p. 103). UN observers judged the 2003 elections relatively free of corruption and violence, compared with previous polls. That said, Peter Leuprecht, Special Representative of the UN Secretary General for Human Rights in Cambodia, noted in an election report released at year-end that "significant obstacles remain to the exercise by Cambodia's citizens of their rights to freely express their views and to engage in political activities" (quoted in Watt 2004a). In turn, Human Rights Watch documented a troubling list of rights violations in the run-up to balloting (Human Rights Watch 2003).

Even though the CPP increased its parliamentary majority from 64 to 73, it still lacked the two-thirds majority in the National Assembly necessary to form a government. A constitutional provision designed to reconcile warring factions in 1993 had the opposite effect a decade later. It meant the CPP needed a two-thirds majority in the National Assembly in order to elect an Assembly president who could then recommend to the king a CPP member (Hun Sen) to form a government. In 1998, the CPP was successful in persuading FUNCINPEC to join a coalition government; but the latter allied with the SRP in 2003, refusing to form a government with Hun Sen as prime minister. After the CPP rejected an SRP proposal to form a tripartite government, the stalemate continued into 2004 as sporadic violence, mostly targeted at FUNCINPEC and SRP officials and associates, kept Cambodia in a constant state of political tension. Hun Sen and Prince Ranariddh eventually reached a power-sharing deal in June 2004 in which Hun Sen retained his position as prime minister and Prince Ranariddh continued as president of the National Assembly (Kazmin 2004). Under the agreement, which increased the number of cabinet seats from 80 to 207, CPP took 65 per cent of cabinet posts, including key portfolios like foreign affairs, telecommunications, and commerce, and FUNCINPEC got the remaining 35 per cent (Vong Sokheng and Woodd 2004). An additional 146 new undersecretaries of state were later appointed, bringing the total number of new political appointees to 332. The multiplicity of ministerial and sub-ministerial positions, created to offer both parties lucrative positions in return for political support, added an onerous burden to the Cambodian economy.

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The formation of a new government in mid-2004 marked the consolidation of Hun Sen's control over the Cambodian political system. FUNCINPEC appeared finished as an independent political party, leaving SRP as the only meaningful opposition. At the swearing-in ceremony for the new government, which the opposition boycotted, Hun Sen spoke of the coalition lasting at least 20 to 30 years (Hunt and Hayes 2004). When SRP leader Sam Rainsy accused Prince Ranariddh of accepting a bribe to join the coalition government, the National Assembly in a closed-door session in early February 2005 stripped Rainsy and two colleagues of parliamentary immunity, prompting Rainsy to flee Cambodia (Vong Sokheng and Cochrane 2005). With Hun Sen in total control of all forms of security, no one in the foreseeable future looked to be in a position to challenge him. The creation of the coalition government, after a year-long battle in which opponents had failed to oust him, displayed for all to see Hun Sen's growing inability to tolerate any form of dissent. The formation of the coalition thus marked not a benchmark on the road to greater democracy in Cambodia but instead a detour in the direction of a one-party state.

Culture of Impunity

The final strategy outlined in the 1993 *National Programme* — reform of administrative and judicial institutions — was designed to strengthen government bodies through a clarification of roles and responsibilities, reform in corporate functions, and improved coordination between central and provincial administrations. The Royal Government planned to overhaul the civil service and to promote an effective workforce that accepted the merit system and respected human rights. It also intended to establish a fair and efficient judicial system (Royal Government of Cambodia 1994, pp. 16–22). Domestic and international expectations for improvement were highest in the area of administrative reform, but sustained progress here proved most difficult.

A unique achievement, the UNTAC-sponsored elections proved insufficient to establish a solid foundation for democratic institutions and practices in a still immature body politic. As Roberts later observed, "the paradox of creating a powersharing environment between arch enemies imbued in a political culture of absolutism and intolerance of difference, established the tenor of the inter-party contest for power in Cambodia" (Roberts 2001, pp. 115–18; 148–50, quote p. 150). Instead of spawning change in the political culture of Cambodia, the elections led to a reassertion of the political practices of old. Power brokers practised politics, as usual often evidencing the familism, cupidity, narrow

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horizons, and reluctance to tolerate opposing points of view prevalent in the Sihanouk and Lon Nol periods. These similarities fuelled a debate over whether Hun Sen's approach to government was more reflective of the political culture of the communist single party state or of Cambodian royalty as most recently evidenced during the Sihanouk era. For Cambodia to prosper, most observers agreed its political culture would have to change (Peang-Meth 1997, pp. 293–95; Hughes 2003, pp. 60–67). Consequently, the prevailing trend was a discouraging one, hampering progress, not only in administrative and judicial reform, but in the overall development programme.

The case of Sam Rainsy, architect of the nation's economic reform programme, provided an early example of the difficulties involved in changing Cambodia's political culture. As Minister of Economics and Finance, his efforts to root out official corruption and to centralize revenue collection were widely heralded abroad. But the very same reforms prompted a storm of protest at home from the entrenched business and political elite, sparking efforts at the highest levels of government to remove him from office. Eventually, Rainsy was sacked in a cabinet reshuffle in October 1994 and later ousted from FUNCINPEC in May 1995 and from the National Assembly in June 1995 (Barber 1995). Illustrative of the Cambodian political elite's inability to recognize and tolerate the legitimacy of opposition and difference, co-premiers Hun Sen and Ranariddh joined in supporting the removal of Rainsy because both viewed him as a serious political rival. When Prince Norodom Sirivuddh, half-brother of King Sihanouk, FUNCINPEC secretary-general and a deputy prime minister, resigned in solidarity with Rainsy, he was imprisoned and later exiled to France. At the same time, the Royal Government argued increasingly that media curbs were necessary to keep the press from acting irresponsibly and undermining the people's faith in their leaders (Brown and McGrew 1995, pp. 132–33; Lizée 1996, pp. 84–86).

The ouster of Sam Rainsy and the growing political pressure on the press were only the most obvious examples of heavy-handed government efforts to neutralize opposition. The National Assembly soon became little more than a rubber stamp. And voices of even mild dissent received death threats. The court system, according to human rights lawyers and diplomats, was largely controlled and directed by politicians. The widespread abuse of human rights, accompanied as it was by extensive evidence of corruption, made a mockery of the US$2 billion UN peace plan that had led to elections and the subsequent formation of the Royal Government (Öjendal 1996, pp. 204–7; Pape 1998). For example, the US Department of State's most recent review of

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human rights practices in Cambodia, issued in late February 2005, concluded in part:

> The [Cambodian] Government's human rights record remained poor, and the Government continued to commit abuses. During the year, nongovernmental organizations (NGOs) estimated there were at least four political killings and three alleged political killings, although motivations for killing often were difficult to ascertain. ... Democratic institutions, especially the judiciary, remained weak. Politically related crimes rarely were prosecuted. Citizens often appeared without defence counsel and thereby effectively were denied the right to a free trial. The Government largely controlled the content of television broadcasts and influenced the content of most radio broadcasts. The authorities regularly interfered with freedom of assembly. (US Department of State 2005)

At the same time, widespread violence continued to plague all levels of Cambodian society. Cambodian history has long been a chronicle of violence as evidenced by the bas-reliefs at Angkor, the cruelties of nineteenth century uprisings, the sordid political killings of Sihanouk, the Vietnamese massacres of Lon Nol, and the murderous purges of Pol Pot. In a country almost never at peace with itself, studies of Khmer Rouge rule found Cambodians were not as shocked as outsiders with the violence of the Pol Pot regime because the violence differed only in scale and intensity from past experience. This predilection to violence was much in evidence in the 1993 election campaign and continued largely unabated in the succeeding decade (Lao Mong Hay 1998, pp. 172–75; Barber 1996; Prasso 1994).

On the related issue of corruption, an international conference proposed a tough-talking anti-corruption law as early as 1996, but legislation remained on the drawing board a decade later. When donors warned they would reduce funding if progress was not made in enacting legislation, Prime Minister Hun Sen pledged in June 2002 to pass an anti-corruption law within a year. This deadline passed with anti-corruption legislation still in draft form and unable to be approved until the government deadlock was resolved. Corruption has taken a multitude of forms in Cambodia — from bribes in the manufacturing and service sectors to loss of tax revenues to government-sponsored smuggling, to "ghost" soldiers and civil servants drawing salaries though they do not exist. In the area of sustainable development, a related target of the *National Programme*, various Global Witness reports suggest the value of some 300 million cubic metres of timber exported fraudulently since 1994 totals some US$3 billion or US$250 million annually in lost revenues. For instance, one

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such report concludes that "the anarchic situation that prevails in Cambodia provides the ideal environment in which corrupt individuals at every level in Cambodian society and government stand to earn vast amounts of money from the timber trade — at the expense of the nation, its population and its environment".[3]

The issue of corruption again came to the forefront at the end of 2004 with the release of a report, commissioned by the US Agency for International Development, which depicted a corruption-ridden Cambodian state apparatus.

> Following the Paris Accord, Cambodia's former Communist leaders embraced a hybrid system of predatory market economics and authoritarian control. This system, with its resultant impunity, along with widespread poverty and a dearth of institutions, has given rise to an all-encompassing corruption environment. "Survival" corruption is a way of life for the poor, and a succession of medium and large-scale corrupt acts are the ticket to wealth for the politically powerful. (Calavan et al. 2004, p. 1)

Describing impunity as the "norm", the report continued: "No one with the patronage of the state is punished, whether for massive pillaging or petty theft". On the contrary, "those most at risk are individuals and organizations that dare to resist corruption" (Calavan et al. 2004, p. 2). Nevertheless, anti-corruption legislation continued in draft form with the coalition government agreeing in theory to pass a bill which would comply with international best practice but resisting pressure to accept the terms of the 2003 United Nations Convention Against Corruption (Cochrane 2005; Watt 2004b).

International Intervention

Observers in and out of Cambodia had begun to question the commitment of the Cambodian elite to democracy well before the votes were counted in 1993, and concern grew over the ensuing decade. In testimony before the US House Subcommittee on Asia and the Pacific, Frederick Z. Brown, a Johns Hopkins University professor, noted in September 1995 that it was "misleading" to talk of democracy or the process of democratization in Cambodia in the way Americans think of those concepts. He suggested most Cambodians, especially the 80 per cent living in rural areas, were still more comfortable with "a recessive (if not subservient) posture in politics", as found in a monarchic system with feudal political relationships. While the elections might have

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changed the way a few Cambodians viewed their political role, especially the nascent middle class in urban areas, Brown noted "a steady compression of the political space of Cambodians seeking to participate in the democratic process" following the formation of the coalition government in 1993 (Brown 1995).

Despite mounting evidence that democracy was not taking root in Cambodia, international donors continued to support the coalition government. Donors pledged US$773 million in aid to Cambodia at the March 1994 ICORC meeting in Tokyo, but political violence and human rights abuses over the next year dampened donor enthusiasm, with many donors admitting "compassion fatigue" (Thayer 1995). At the March 1995 ICORC meeting in Paris, a chorus of voices, including Amnesty International and Sam Rainsy, condemned the government's human rights record and the limited progress made towards democratization, accusing it of corruption and malfeasance. Second Prime Minister Hun Sen responded to the criticism in a defiant speech in early December 1995, telling Western donors not to tie aid to human rights conditions. Singling out France and the United States for particular criticism, he challenged both states to stop giving aid if they were unhappy with Cambodia. But he suggested the United States, in that case, owed Cambodia US$20 billion in "compensation" for wartime damages done to the country (Barber and Ker Munthit 1995).

After the IMF and World Bank emphasized in early 1996 that corrupt practices would no longer be tolerated, major donors at the July 1996 ICORC meeting in Tokyo seized on the new approach, insisting for the first time that Cambodia implement a more transparent forestry policy (Fitzgerald 1997). Prior to the meeting, the International Monetary Fund had frozen its funding to Cambodia on the grounds money from the sale of state assets was not finding its way to state coffers (Grainger 1996). Hence, the only time conditionality was exercised in the period May 1993 to July 1997 involved an issue of fiscal transparency, not political reform. The IMF and World Bank later suspended financial support programmes due to the inability of the government to meet structural reform criteria; nevertheless, other donors held back from threatening aid conditionality, a move advocated by opposition leader Sam Rainsy (Barnes 1997; Hughes 2003, p. 103). The concerns of the major Cambodian players — the IMF and the World Bank — remained mostly economic and social as opposed to political reform. For example, advance dialogue in preparation for the July 1997 donor conference, which pledged US$450 million in assistance to Cambodia, centred on now familiar donor concerns, such as revenue collection, logging, demobilization, and civil service reform.

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In response to the July 1997 *coup d'état*, some donors, like the United States, suspended aid to Cambodia, while others, notably Japan, continued existing aid programmes but refused to initiate new ones. The Japanese government later resumed normal operations at the end of 1998, announcing its first new grant since July 1997 (Stephens 1999). By early 1999, when donors met in Tokyo to pledge US$470 million in aid, the donors had organized four working groups, fiscal reform, public administration reform, demobilization, and forestry/environmental reform, to monitor issues in Cambodia of most concern. Democratic reform was notably absent from this list, and it was not until 2000 that donors established a fifth working group dealing with good governance and the rule of law (Marcher 2000).

In a widely read report entitled "Cambodia: The Elusive Peace Dividend", the International Crisis Group in August 2000 highlighted just how little progress had been made since Frederick Z. Brown's congressional testimony five years earlier.

> Cambodia remains a strongman's state, replete with lawlessness, human rights abuses, grinding poverty, bloated security forces and an economy thriving on prostitution, narcotics trafficking, land grabbing and illegal logging. The ruling Cambodian People's Party (CPP), led by Prime Minister Hun Sen, has now achieved long-sought legitimacy but this has come essentially by default — by marginalizing political opposition, wearing down donors and diplomats, and maintaining a lock on power through the military and local government offices. (International Crisis Group 2000, p. ii)

The following year, the Asian Development Bank issued a report, "Key Governance Issues in Cambodia, Lao PDR, Thailand, and Vietnam", which highlighted governance shortcomings, underscoring many of the issues identified earlier by the International Crisis Group. According to this report, the lack of effective separation of powers between the branches of government resulted in the absence of the checks and balances central to a functioning democracy. The judicial system was subjected to particular scrutiny in the ADB report with the "impunity of public officials" described as "the most serious weakness in Cambodia's judicial system". To improve the nation's governance, the report suggested donors jointly develop specific governance-related performance criteria to "expedite donor coordination and the mainstreaming of governance into assistance programs". Advancing earlier prescriptions, the report recommended "reforms that improve governance should be a precondition for assistance to a given sector or institution" (Wescott 2001, pp. 5–19, quotes pp. 15, 17).

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In a report entitled "Cambodia at the Crossroads: Strengthening Accountability to Reduce Poverty", the World Bank in November 2004 took its strongest stand to date in support of political reform in Cambodia, encouraging the international community to make future aid pledges conditional on improved governance. Acknowledging only limited progress after 1993 in establishing a liberal democracy with respect for human rights, the report focused on the failure of the RGC to provide strong governance, especially in the areas of corruption and the rule of law.

> Weak governance and the failure to control corruption and enforce the rule of law underscore the country's limited institutional capacity, the lack of trust among the elite and strong resistance to reforms from powerful vested interests. These are dark clouds from Cambodia's tragic past that have cast a shadow over what could be a bright future and that prevent the relatively young and weak institutions of restraint from working effectively to ensure accountability and transparency. (World Bank 2004, p. 4)

After outlining the five areas of governance most in need of reform, the report candidly admitted that Cambodia's development partners in the past had too often been part of the problem as opposed to part of the solution:

> Cambodia's international development partners are strongly committed to Cambodian development and are anxious to be part of the solution. But they may also be part of the problem. The failure to speak out for Cambodia's poor with one voice or to link financial and technical support to performance and outcomes has sent mixed signals to the country's leadership which has shown itself rather adept at doing just enough to win donor support. (World Bank 2004, p. 23)[4]

The World Bank called on bilateral and multilateral donors to make future donor support conditional on the adequacy of RGC reform efforts. Earlier reports by the Economic Institute of Cambodia, International Monetary Fund, and US Agency for International Development had reached similar conclusions on the effectiveness of political reform efforts, if not on the need to add conditionality to future aid pledges (International Monetary Fund 2004). The annual government-donor Consultative Group meeting, which followed issuance of the World Bank report, pledged US$504 million in aid to Cambodia in 2005, raising the post-1993 aid total to US$5 billion. At the same time, donors warned future support would hinge on real changes in the economic and political system (Macan-Markar 2004; Cochrane 2004).

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Prolonged efforts to conduct a Khmer Rouge trial continued throughout this period with the results of a poll conducted by the Khmer Institute of Democracy in late 2004 indicating some 97 per cent of Cambodians surveyed supported the idea of a Khmer Rouge tribunal, even if it fell short of international standards. A problem here, as scholar Steve Heder emphasized in a late 2004 panel organized by the Overseas Press Club of Cambodia, was the absence in Cambodia of an independent judiciary.

> The real problem is the determination of key political players to prevent the training and knowledge of the Cambodia judiciary to be put to use against their fundamental political and economic interests. Left to do their job in peace, the **judiciary** are perfectly capable of weighing up evidence and exercising independence and many are eager to do so given the chance. (Quoted in Woodd 2004)

Heder added the dominance of politicians over the courts was an issue that was beyond the ability of short-term or even medium-term capacity-building programmes to correct, noting they had been working the issue in Cambodia for more than ten years with negligible results. With the projected cost of the three-year trial estimated to be in excess of US$56 million, donor states remained reluctant to quantify financial commitments to long delayed legal proceedings. Japan proved the exception, pledging US$21.6 million on the grounds Cambodia should apply the rule of law and abandon a culture of impunity. Other donor states later committed an additional US$16.88 million at a March 2005 pledging conference (United Nations 2005; Lesley 2004). In response, the United Nations in early May 2005 gave Cambodia the green light to begin organizing the long-awaited tribunal (Kazmin 2005).

Conclusions

Recent Cambodian experience highlights many of the challenges that must be addressed to nurture democracy in political cultures with limited financial resources and no history of democratic institutions. First and foremost, it is essential to recognize that democracy is not synonymous with holding elections. One election, or even many elections, a democracy does not necessarily make. Elections are nothing more than a relatively peaceful, efficient means to resolve the allocation of power and authority in a country. Nowhere is this more true than in modern-day Cambodia.

The essence of Western democracy, separation of powers with checks and balances within a system of democratic institutions, political

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parties, and free elections, has yet to be achieved in Cambodia. On the contrary, the Cambodian elite has refused to accept central elements of the democratic process, like power-sharing, dissent, and loyal opposition. Whether or not the majority of Cambodians aspire to, or even understand, Western-style democracy is another question.

The 1993 elections, instead of sparking the desired change in the political culture of Cambodia, led to the reassertion of past political practices. The power elite over the past decade has skilfully employed central aspects of traditional political culture in support of modernization within an authoritarian model. Power brokers have mostly continued to practise politics as usual, evidencing the corruption, narrow horizons, and intolerance long dominant in Cambodian politics.

Ten years on and US$5 billion later, Prime Minister Hun Sen continues to resort to violent, undemocratic means to consolidate his position as the most powerful politician in Cambodia. In so doing, he has displayed a growing intolerance for any form of political opposition or dissent, an attitude that bodes ill for the future of democracy in the country. Power-sharing has become an oxymoron with power-building the more operative concept. Enjoying a monopoly of political power and in control of all forms of security, Hun Sen threatens to transform Cambodia's superficial democracy into a one-party state.

The international community has largely sanctioned Cambodia's failures in this regard, continuing to provide massive amounts of aid in the face of overwhelming evidence that even modest democratic reform efforts were bankrupt, if not dead on arrival. Despite rhetorical commitments to democracy, the reality remains that donor governments have long been complicit in creating and sustaining the current autocratic order. The assumption that Cambodia's ruling elite was willing to initiate reforms but lacked the expertise necessary to carry them out was a fundamental weakness from the outset. On the contrary, the political order in Cambodia was both intimately familiar with the process of political competition and determined to retain political power. No amount of technical assistance could overcome this reality.

Growing donor emphasis on corruption is also something of a disservice as it has tended to focus attention on the symptoms of the problem as opposed to its causes. As Moisés Naím, editor in chief of *Foreign Policy*, pointed out in a recent article: "Corruption has too easily become the universal diagnosis for a nation's ills" (Naím 2005, quote p. 96). Corruption has a debilitating effect, but an end to the nationwide system of bribes and payoffs, even if it could be achieved and it almost certainly cannot, would not necessarily resolve the deeper problems plaguing Cambodian society. On the contrary, an obsession

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with corruption too often dampens debate on more pressing issues.

To increase democratization and reduce corruption, the principal challenge in Cambodia is to place significant curbs on executive power. A second important imperative is an honest and independent judiciary together with respect for the rule of law. Vibrant political parties remain an important precursor for a sustainable and pluralistic order. It is significant in this regard to recall that the 20 political parties which contested the 1993 elections had been reduced to only three less than a decade later. A sound educational system remains another prerequisite for an informed, effective democratic polity. These are the tough issues the international community must address to promote democratization in Cambodia.

Cambodia was one of the first post–Cold War attempts to implant Western democracy in a state with little or no democratic tradition. Consequently, the checkered success achieved here has a significance which extends well beyond its borders. The Cambodian experience sheds light on the challenges and pitfalls faced in converting developing states, such as Afghanistan and Iraq, into effective, functional democracies in a single generation. In particular, it draws attention to the difficulties involved in promoting democracy in countries with low levels of economic development where the citizenry remains especially vulnerable to the political elite's manipulation of national resources.

NOTES

1 The Paris peace accords are reproduced in Raszelenberg and Schier (1995, pp. 570–605).

2 For an analysis of the *National Programme*, see St John (1995b, pp. 265–81).

3 *Global Witness* Report, "Corruption, War & Forest Policy — The Unsustainable Exploitation of Cambodia's Forests", p. 20. http://global witness.client.fatbeehive.com/reports/show.php/en00042.html.

4 Earlier, the Cambodian Corruption Assessment had charged the international community to take some responsibility for the failure to control corruption in Cambodia (Calavan et al. 2004, p. 2).

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Contemporary Southeast Asia 27, no. 3 (2005): 429–52 ISSN 0219-797X

The Management of Vietnam's Border Disputes: What Impact on Its Sovereignty and Regional Integration?

RAMSES AMER AND NGUYEN HONG THAO

The main aim of this article is to study Vietnam's border disputes, the way they have been and are being managed and the challenges that the remaining disputes pose.[1] It also assesses the impact of Vietnam's border disputes on Vietnam's sovereignty, as well as the impact of the border disputes on Vietnam's regional integration. The study focuses on developments since the early 1990s. The progress in managing and resolving Vietnam's border disputes is outlined. The remaining unresolved disputes are analysed and the challenge they pose is discussed. The degree of success in managing Vietnam's border disputes is examined through the pattern of negotiations involving Vietnam and its neighbours. The impact of the border disputes on Vietnam's sovereignty is studied from two main perspectives: the first relates to how unresolved border disputes affect Vietnam's sovereignty, in particular, Vietnam's capability in efficiently exercising its sovereignty; the second deals with the impact of the agreements reached on border disputes on Vietnam's sovereignty. The regional integration dimension is studied primarily from the perspective of how Vietnam contributes to the enhancement of the conflict management approach of the Association of Southeast Asian Nations (ASEAN).

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Introduction

Vietnam's border disputes can be studied from various perspectives; this study focuses on the current status of the disputes, that is, whether the disputes are settled or not. Since some of the border disputes have been settled, the overview of the disputes is divided into two categories: the settled disputes and the unresolved disputes.

Agreements Relating to Border Disputes

- On 18 July 1977 Laos and Vietnam signed a treaty delimiting the land boundary between the countries. Following the completion of the demarcation process, a complementing treaty was signed on 24 January 1986. On 1 March 1990 an additional protocol was signed and on the same day an agreement on border regulation was signed.[2]
- On 7 July 1982 Vietnam and the then People's Republic of Kampuchea (PRK) signed an agreement on "historic waters" located between the coast of Kien Giang province, Phu Quoc island, and the Tho Chu islands on the Vietnamese side and the coast of Kampot province and the Poulo Wai islands on the Cambodian side. The agreement stipulated that the two countries would hold, "at a suitable time", negotiations to determine the maritime frontier in the "historic waters". Pending such a settlement, the two sides would continue to regard the Brévié Line drawn in 1939 as the dividing line for the islands within the "historic waters" and the exploitation of the zone would be decided by "common agreement".[3] On 20 July 1983 the two countries signed a treaty on the principles for the settlement of border problems and an agreement on border regulations (BBC/FE 7393 A3/1) and Quang (1986, pp. 8–9). Finally, on 27 December 1985 the two countries signed the Treaty on the Delimitation of the Vietnam-Kampuchea frontier.[4]
- On 5 June 1992 an agreement was reached between Malaysia and Vietnam to jointly develop the areas of overlapping claims to continental shelf areas to the southwest of Vietnam and to the east-northeast off the east coast of peninsular Malaysia in the Gulf of Thailand (Amer 1995, p. 306; Nguyen H.T. 1999, pp. 79–88; Nguyen H.T. 2002a, pp. 53–56).
- On 9 August 1997 Thailand and Vietnam reached an agreement delimiting their continental shelf and Exclusive Economic Zones (EEZ) boundaries in a disputed area in the Gulf of Thailand to the southwest of Vietnam and to the northeast of Thailand (BBC/FE 2996 B/4–5; Nguyen H.T. 1997, pp. 74–79; Nguyen H.T. 1998, pp. 7–10; 2002a, pp. 51–53).

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- On 30 December 1999 China and Vietnam signed a Land Border Treaty settling the land border dispute between the two countries.[5]
- On 25 December 2000 China and Vietnam signed the Agreement on the Delimitation of the Territorial Seas, Exclusive Economic Zones and Continental Shelves in the Gulf of Tonkin, settling their maritime boundary disputes in the Gulf.[6] On the same day the two countries signed an agreement on fishery cooperation in the Gulf of Tonkin.[7]
- On 11 June 2003 Vietnam and Indonesia signed an agreement on the delimitation of their continental shelf boundary in an area to the north of the Natuna Islands.[8]

Unsettled Border Disputes

- The agreements between Vietnam and Cambodia reached in the 1980s were not recognized by all parties within Cambodia for most of the 1990s. New bilateral talks on the status of their borders between the countries have been initiated to reach a solution to remaining disputed issues. Therefore, in the context of this study, the border disputes between Vietnam and Cambodia cannot be considered as resolved and they are listed among the unsettled disputes. The disputes encompass both areas along the land border and overlapping claims to maritime areas in the Gulf of Thailand.[9]
- Between Malaysia, Thailand, and Vietnam there is a multilateral dispute relating to an area of overlapping claims in the Gulf of Thailand.[10]
- Between Malaysia and Vietnam the major dispute relates to Vietnam's claim of sovereignty over the whole Spratly archipelago, which overlaps the Malaysian claim to the southern part of the archipelago (Amer 1995, pp. 305–6; Prescott 1985, pp. 218–22; Valencia 1991, pp. 54–66). These parts of the Archipelago are also claimed by China and Taiwan, with a smaller part of the disputed area being claimed by the Philippines.
- Between the Philippines and Vietnam there is a dispute in the South China Sea where Vietnam's sovereignty claim to the whole Spratly archipelago overlaps the Filipino claim to the major part of it (Amer 1995, pp. 306–8; Prescott 1985, pp. 218–22). These parts of the Archipelago are also claimed by China and Taiwan, as well as partly claimed by Malaysia.
- Between China and Vietnam the overlapping sovereignty claims to the Paracel and Spratly archipelagos are still unresolved. The same applies to China's claims to the historical waters within the so-called dotted line to the east of the Vietnamese coast in the South China Sea.

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- Vietnam's claims to the Paracel and Spratly archipelagos also overlap with Taiwan's claims to the two archipelagos.
- Between Brunei Darussalam and Vietnam overlapping claims to the 200-mile EEZ could emerge if the two countries started to assert their claims to the islands and reefs in the South China Sea (Valencia 1991, pp. 48–50, 66–67).

Between Conflict Management and Tension

The developments since the end of the Vietnam war in 1975 display that during the second half of the 1970s Vietnam and Laos reached agreements relating to the border dividing their countries, with the demarcation being finalized in 1990. Officially, the two countries did not refer to any border dispute between them but the outcome of the demarcation process displayed that areas of overlapping claims existed and that such differences were resolved in the negotiation and demarcation processes. Interestingly enough, despite Laos' dependency on Vietnam the border agreements and demarcation were not to its detriment, that is, Laos did not have to give up substantial areas to Vietnam. In fact, the borderline is "very close" to the 1945 border between Laos and Tonkin and Annam, respectively.[11]

During the 1980s there were the agreements between Vietnam and the then PRK in 1982, 1983, and 1985. However, there was no progress in negotiating the border disputes with member states of the Association of Southeast Asian Nations (ASEAN) and with China. The Cambodian conflict prevented progress to the extent that except for talks with Indonesia and Cambodia, no talks on border issues took place between Vietnam and its other neighbours for the duration of the Cambodian conflict 1979–91.

The 1990s displayed considerable progress in negotiations. A joint development agreement (JDA) was reached with Malaysia in 1992 in an area of bilateral dispute in the Gulf of Thailand. The negotiations between Vietnam and Thailand eventually resulted in the agreement on the maritime boundaries of 1997 in areas of bilateral dispute in the Gulf of Thailand. In 1995 Vietnam and the Philippines agreed on a "code of conduct" to be observed by the two countries in the South China Sea. More notable progress during the 1990s was the initiation of trilateral talks between Vietnam, Malaysia, and Thailand relating to an area of the Gulf of Thailand where the claims of the three countries overlap. These talks were made possible by the maritime boundary agreement between Vietnam and Thailand in 1997.

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The claims of Taiwan and Vietnam, respectively, to the Spratly and Paracel archipelagos overlap, and Vietnam has made official statements criticizing Taiwanese activities in the Spratlys in recent years. However, Vietnam does not recognize Taiwan as a sovereign country.[12] Vietnam adheres to the "one China policy", implying that Vietnam is committed to recognize China only and not Taiwan. Thus, Vietnam cannot enter into official talks with Taiwan over the overlapping claims by the two parties.

Given the extent of the border disputes between China and Vietnam along the land border, in the Gulf of Tonkin, and in the South China Sea, these disputes deserve a more extensive analysis; during the process leading up to the full normalization of relations between the two countries in November 1991 the border disputes were not resolved.[13]

Following the full normalization of relations the major part of the 1990s was characterized by a fluctuating level of tensions relating to the border disputes. Sharp differences relating to all the border disputes, that is, overlapping claims to the Paracel and Spratly archipelagos; to water and continental shelf areas in the South China Sea and the Gulf of Tonkin; and to areas along the land border, were prevalent from May to November 1992. Differences relating to oil exploration in the South China Sea and the signing of contracts with foreign companies for exploration were prevalent during the periods April–June 1994, April–May 1996, and March–April 1997. In 1998 there was no extended period of tension relating to the border disputes but tension of shorter periods occurred, such as in January along the land border and in the South China Sea in April, May, July, and September.[14]

To cope with the fluctuating level of tension relating to the border disputes the two countries developed a system of talks at the expert, government, and high levels to deal with the border issues. Talks at the government level began in August 1993 and the eleventh round of talks was held in December 2004.[15] The first achievement was the signing of an agreement on 19 October 1993 on the principles for handling the land border and Gulf of Tonkin disputes. It was further agreed to set up joint working groups at the expert level to deal with the two issues. The joint working group on the land border held 16 rounds of talks from February 1994 to the signing of the Land Border Treaty in December 1999.[16] The joint working group on the Gulf of Tonkin met 17 times from March 1994 to the signing of the Agreement on the Delimitation of the Territorial Seas, Exclusive Economic Zones and Continental Shelves in the Gulf of Tonkin in December 2000.[17] Talks at the expert level on the disputes in the

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South China Sea proper, the so-called sea issues, were initiated in November 1995, with the tenth round of talks held in June 2005.[18]

On both the land border and the Gulf of Tonkin and the agreements of 1999 and 2000 respectively, the progress was evident. Both countries ratified the Land Border Treaty in 2000 and it officially took effect on 6 July.[19] The maritime boundary agreement relating to the Gulf of Tonkin entered into force on 30 June 2004 when the two countries exchanged documents relating to the ratification of the agreement in Hanoi (*Nhan Dan* 2004; *People's Daily* 2004c). The ratifications process and the entry into force of the agreement was made possible by the completion of the talks on an additional protocol to the agreement of fishery cooperation that was signed on the same day as the boundary agreement in December 2000. Agreement on the protocol was a prerequisite before proceeding with the ratification of the maritime boundary agreement. The agreement on the additional protocol was signed in Beijing in late April (VNA 2004a, *People's Daily* 2004b). This paved the way for the ratification of the Agreement on the Demarcation of Waters, Exclusive Economic Zones and Continental Shelves in the Gulf of Tonkin. It was ratified by the National Assembly of Vietnam on 15 June 2004 (VNA 2004b) and ratified by the 10th Standing Committee of the National People's Congress of China at its tenth meeting held from 21 to 25 June 2004 (*People's Daily* 2004b). Both the boundary agreement and the fishery agreement entered into force on 30 June 2004.[20]

A shooting incident that led to the death of at least eight Vietnamese in the Gulf of Tonkin in January 2005 highlighted the need to enhance the collaboration between the countries in managing the situation in the Common Fishery Zone. This process is well under way, as indicated in the joint communiqué issued in connection with President Tran Duc Luong's visit to China in July 2005. The communiqué stated that the two countries would "exert joint efforts to ensure marine security and order in fishery development" in the Gulf. Furthermore, they agreed to "conduct joint patrol between the two countries' naval forces" (Vietnam MFA 2005c).

The expert-level talks on the so-called sea issues (South China Sea — referred to as East Sea by Vietnam) have not made much progress partly due to disagreements on what issues should be on the agenda with Vietnam pushing for the inclusion of the issue of the Paracels and China insisting that that issue should not be on the agenda. Nevertheless, the level of tension relating to the disputes in the South China Sea has been considerably reduced by 1999, a trend that continued to prevail

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into the early 2000s.[21] Despite this lack of progress in talks at the expert level, the high-level talks have resulted in agreements on increasingly sophisticated principles for the behaviour of the two countries in the South China Sea to pre-empt actions that can provoke tension, and minimize tension if a dispute arises. Notable provisions relating to behaviour in the South China Sea can be found in the following documents: the Joint Declaration of 27 February 1999, issued in connection with the visit to China by the then Secretary General of the Communist Party, Le Kha Phieu (*Vietnam Law* 1999, p. 13); the Joint Statement for comprehensive cooperation signed on 25 December 2000 by the Foreign Ministers of the two countries (AVI 2000; VNA 2000; *News Bulletin* (*Nhan Dan*) 2000b); and the Joint Communiqué of 8 October 2004, issued in connection with the visit of China's Prime Minister, Wen Jiabao, to Vietnam (China MFA 2004).

In the context of the multilateral dispute relating to the Spartly archipelago and the broader issue of the situation in the South China Sea, Vietnam is actively involved in the ASEAN-China dialogue. The most tangible outcome of that dialogue was the signing of the "ASEAN-China Declaration on the conduct of parties in the South China Sea" (DOC) on 4 November 2002 during the 8th ASEAN Summit in Phnom Penh, Cambodia. The DOC is seen as an important step in the process of establishing and agreeing on a "code of conduct" in the South China Sea. The parties concerned undertook to resolve their border and jurisdictional disputes by peaceful means, without resorting to the threat or use of force, through friendly consultations and negotiations by sovereign states directly concerned, in accordance with universally recognized principles of international law, including the 1982 United Nations Convention on the Law of the Sea.[22]

With regard to the South China Sea it can be noted that an agreement on seismic survey in the South China Sea between the Chinese National Offshore Oil Company (CNOOC) and the Philippines National Oil Company (PNOC) was signed on 1 September 2004.[23] The area of seismic survey covers some parts of the Spratly archipelago. Vietnam officially stated that the agreement had been concluded without consulting other parties. It "requested" China and the Philippines to inform Vietnam about the content of the agreement. Vietnam also reiterated its sovereignty claims to both the Spratly and Paracel archipelagos. Finally, it called on all other signatories to join Vietnam in "strictly implementing the DOC".[24]

In March 2005 there were further developments relating to the South China Sea. First, on 7 March the Department of Foreign Affairs of

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the Philippines announced that the Maritime and Ocean Affairs Center, Department of Foreign Affairs of the Philippines, would host the Third Philippines-Vietnam Joint Oceanographic Marine Scientific Expedition in the South China Sea (JOMSRE-SCS III) on 6–9 April 2005.[25] On 11 March the Spokesman of China's Ministry of Foreign Affairs, in response to a question on China's views on the reports that the two countries would conduct "joint marine research" in the South China Sea, expressed China's "concern" about the joint marine research and that China and the "relevant parties" would follow the "principles enshrined in the Declaration on Conduct of Parties in the South China Sea" in their marine research.[26]

Second, on 14 March a "Tripartite Agreement for Joint Marine Seismic Undertaking in the Agreement Area in the South China Sea" was signed between China National Offshore Oil Corporation (CNOOC), Vietnam Oil and Gas Corporation (PETROVIETNAM), and the Philippine National Oil Company (PNOC). The term of the agreement was for three years. The signing of the agreement "would not undermine the basic position held by the Government of each party on the South China Sea issue". However, the parties expressed their "resolve to transform the South China Sea into an area of peace, stability, cooperation and development".[27]

In the context of the border disputes with Indonesia, the 1990s did not bring about a breakthrough in negotiations. The two countries failed to capitalize on the traditionally good bilateral relations. Furthermore, the impact of the Asian Financial Crisis on Indonesia brought other more pressing needs on the agenda for the Indonesian leaders. Thus, no progress was made in negotiating the border disputes, but stability was maintained. This state of affairs continued to prevail into the early 2000s[28] until a breakthrough was made in 2003, leading to the agreement of June 2003, settling the maritime boundary disputes between the two countries.

On a less positive note the 1990s also saw the re-emergence of border issues in Vietnam's relations with Cambodia. In particular, the land border issue and events along it have caused periods of tension in bilateral relations. Leading Cambodian politicians have openly accused Vietnam of border violations. Vietnam has repeatedly rejected such accusations. The initiation of renewed talks on the border issues in the late 1990s did not lead to any agreement by the end of the decade. The status of the agreements of 1982, 1983, and 1985 were first put in doubt by the Cambodian side, but by the late 1990s they seemed to have become acceptable to both sides as basis for further talks. The bilateral

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talks did progress into the year 2000 and Vietnamese officials stated that an agreement would be reached by the end of that year.[29] However, this did not materialize, and since 2001 talks have been more sporadic. The internal political differences in Cambodia have prevented the country from fully re-opening formal talks with its neighbours on border issues. Vietnam has officially stated that it is ready to enter into negotiations on the bilateral land and maritime border issues.[30]

Patterns of Conflict Management

From the observations above it can be noted that the resolution of the Cambodian conflict in October 1991 was a watershed in the management of Vietnam's border disputes with other Southeast Asian countries. Prior to this development, Vietnam had only settled its border dispute with one country, namely, Laos. As noted above, agreements reached with Cambodia in the 1980s have not resolved the border disputes as displayed by continued differences and renewed attempts at negotiations in the late 1990s and the early 2000s.

Since the settlement of the Cambodian conflict, Vietnam had agreed on a JDA with Malaysia on the overlapping claims in an area of the Gulf of Thailand in 1992. Then Vietnam and Thailand agreed on maritime boundaries between the two countries in the Gulf of Thailand in 1997. The agreement with Thailand had also paved the way for talks between Vietnam, Thailand, and Malaysia relating to the area of the Gulf of Thailand, where the claims of the three countries overlap. Furthermore, the 1995 agreement with the Philippines on a "code of conduct" to be observed in the South China Sea is another notable progress after the resolution of the Cambodian conflict.

In the case of the management of the border issues between China and Vietnam the full normalization of bilateral relations in late 1991 certainly facilitate the management of the disputes. However, the most interesting feature is the fact that the full normalization took place without resolving the border issues. This can best be understood in light of the major efforts that both countries have invested in managing and resolving the border issues since full normalization. In other words, as noted above, full normalization of relations between China and Vietnam would not have been possible in 1991 if resolving the border issues was a pre-condition for such a normalization.[31]

Overall, Vietnam has made considerable progress in managing and resolving its border disputes. Some bilateral disputes have not been formally settled but they are managed through various measures

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such as the JDA, code of conduct, and talks. The multilateral dispute over the Spratlys is more complicated because of the nature of the disputes. Vietnam has made most progress in its bilateral talks with the Philippines and China when it comes to managing disputes in the area. Vietnam also contributes to the policy of ASEAN on the South China Sea situation and the Association's attempts at promoting peace and stability in the area. Differences are likely to persist, such as those between Vietnam and China relating to the Paracels and also with regard to areas to the east of the Vietnamese coast and the west of the Spratlys. However, both sides have made considerable progress in containing tension in recent years and have agreed on a number of measures to avoid and contain possible sources of tension (Amer 2002, pp. 45–46).

Achievements

Since the early 1990s, Vietnam has emerged as an active actor in settling border disputes by peaceful means in the region. During a period spanning only slightly over a decade (1992–2004) Vietnam completed the talks on five land and maritime disputes with the following countries: Malaysia, Thailand, China, and Indonesia. This is an impressive success rate in terms of settlement of border disputes in the Southeast Asian context. Through these agreements, Vietnam has contributed to the development of international law such as the application of *uti possidetis* principle, the equitable principle, the application of the single line for maritime delimitation, and in terms of the effect of islands in the maritime delimitation.

Could the progress in managing the border disputes be attributed only to Vietnam? The answer is no, but credit has to be given to Vietnam for striving to peacefully manage its border disputes with neighbouring countries. The policies implemented by Vietnam have positively contributed to the peaceful management of the disputes. Vietnam has also persisted in pursuing such policies in the context of those disputes that have yet to be settled.

Of course, the agreements with China, Indonesia, Laos, Malaysia, the Philippines, and Thailand have been possible because these countries have also opted to pursue policies promoting negotiations on their border disputes with Vietnam. Thus the peaceful management of Vietnam's border disputes is a result of the common interest between Vietnam and the neighbouring countries concerned to pursue such policies. It also reflects the vast improvement of overall relations between Vietnam and China as well as between Vietnam and the member states

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of ASEAN during the 1990s, that is, after the formal resolution of the Cambodian conflict and the full normalization of relations between China and Vietnam in late 1991.

Vietnam's Border Disputes and Sovereignty

Vietnam's experiences from the last quarter of the twentieth century have displayed the dangers of leaving border disputes unresolved. This was most evident in its relations with China and Cambodia, in particular during the second half of the 1970s.[32] In this context it has to be acknowledged that even clearly defined borders would probably not have made much difference in the conflict with Cambodia. In the case of China, fewer disputed issues would have made a difference. In any case, if the border disputes are looked at more generally and over a longer period, then the limitations of a strategy to rely primarily on military strength to defend Vietnam's territory become more evident. There was also a need to remove issues that could cause tensions and conflicts with neighbouring countries. In such a context, resolving border disputes became a priority. In other words, not only do unsettled border disputes have the potential to pose a security threat to Vietnam, but they also negatively impact on Vietnam's sovereignty in terms of both protecting its national territory and its people.

So Vietnam is actively trying to resolve its border disputes. This is part of a continuous policy pursued since the early 1990s. Given the importance of national security and of safeguarding the country's independence in the policies pursued by the Vietnamese authorities, the policies implemented to deal with the border disputes are in line with these broader goals. Thus, the policies on border disputes are intended to strengthen and safeguard the country's sovereignty.

Resolving the border disputes does improve relations with neighbouring countries and create a conducive condition for collaboration along the borders. The demarcation of land borders will settle disputed issues relating to areas along the borders and establish clearly defined borderlines. This process has been completed between Vietnam and Laos, and one has been initiated between Vietnam and China. Clearly demarcated borderlines will be easier to control and to patrol. Security cooperation can be stepped up, expanded, and made more efficient. An additional potential benefit is that more efficient measures could be implemented to combat smuggling across the land borders. In the longer term the fact that borders are settled ought to prevent them from becoming disputed issues such as during the second

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half of the 1970s between Vietnam and China. Seen from Vietnam's perspective, demarcated land borders will enable its armed forces and customs personnel to better protect the country and control activities along the borders. In its struggle against smuggling, this could prove vital for Vietnam.

Shifting the focus to the maritime situation, it is noted that the importance of sea areas for Vietnam is growing and this trend is likely to be reinforced. One important factor is of course that crude oil exports have become very important for Vietnam's economy and the crude oil is exploited offshore in the South China Sea and the Gulf of Thailand.[33] Fishery resources in the Gulf of Thailand, Gulf of Tonkin, and in the South China Sea are also of tremendous importance to Vietnam. Geostrategically Vietnam also needs to defend its territorial claims in these areas. Another increasingly important issue relates to the broader dimension of the environment in these maritime areas. In order for Vietnam to be able to defend its interests (both economic, strategic, and environmental) in these areas, it has to resolve the disputes relating to overlapping claims.

Vietnam has implemented a strategy that encompasses bilateral talks and multilateral initiatives, the latter in the context of the multilateral disputes in the South China Sea and with Malaysia and Thailand in an area of the Gulf of Thailand. The bilateral talks have led to both JDA and boundary agreements. The JDA signed with Malaysia from 1992 has allowed the two countries to jointly explore crude oil. The 1997 maritime boundary agreements with Thailand has stabilized the situation between the two countries and considerably reduced problems relating to the activities of fishermen, which had been a major concern prior to the 1997 agreements. The agreements with China in the Gulf of Tonkin will not only allow the countries to exploit non-living resources but also to regulate fishing in the Gulf. The 2003 maritime boundary agreement with Indonesia will allow the two countries to exploit non-living resources in the area. The positive ramifications are thus obvious and the question of fishing is very important given the fact that both China and Thailand have much larger and more modern fishing fleets than Vietnam. Thus, the agreements are beneficial to the Vietnamese fishermen. They can also help regulate the level of fishing and thus contribute to safeguarding the fishing stocks. This is one of the dimensions of the fishery cooperation agreement with China relating to the Gulf of Tonkin, and can be most clearly shown by the fact that one of the stipulated functions of the Sino-Vietnamese Joint Fishery Committee established by China

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and Vietnam is to "adopt regulations and implementing measures on preservation and management of fishery resources in the Common Fishery Zone".[34]

The agreements reached on maritime boundaries also contribute to facilitating the control over Vietnam's maritime space. This is a problem when maritime claims overlap and fishermen from other nations exploit the situation. The agreements also help to reduce incidents between the naval forces of Vietnam and those of China, Indonesia, and Thailand. This has been most evident in the case of Thailand, and it is not only due to the fact that the maritime boundaries have been in force for a longer period but also due to the fact that clashes occurred on a number of occasions prior to the agreement.[35]

Taking all these different dimensions into consideration the positive impact of the agreements on Vietnam's sovereignty is notable. This relates to not only a better control of the maritime part of Vietnam's territory but also to greater opportunities to exploit non-living resources, in particular, crude oil. As for living resources, the positive impact is twofold: first, in protecting the interests of the Vietnamese fishermen; second, in safeguarding aquatic resources.

To sum up, it can be stated that the settlement of both land and maritime disputes between Vietnam and its neighbours contribute positively to Vietnam's capacity to safeguard its sovereignty. Of considerable importance is the fact that the agreements enhance Vietnam's possibilities to exercise its sovereignty.

Vietnam's Border Disputes and Regional Integration

The dimension of regional integration is examined primarily from the perspective of how Vietnam contributes to the enhancement of ASEAN's conflict management. The possible contribution of the management of Vietnam's border disputes in the broader context of peace and security in the region is also addressed.

To address this dimension and issue in a coherent way it is important to understand the context and process through which Vietnam gradually became integrated into the framework for regional collaboration in Southeast Asia. ASEAN-Vietnam relations were characterized by a deep tension following Vietnam's military intervention in Cambodia in late 1978 and during the first half of the 1980s. The gradual rapprochement between ASEAN and Vietnam went hand in hand with the regional initiatives to resolve the Cambodian conflict in the later half of the 1980s, with a major breakthrough in

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improved relations following the formal resolution of the Cambodian conflict through the Paris Agreements on Cambodia of October 1991. With the Cambodian conflict removed from the agenda, relations between Vietnam and ASEAN were allowed to flourish. This can be seen from Vietnam's gradual integration into the existing regional framework in Southeast Asia. Vietnam acceded to the Bali Treaty in 1992, became an ASEAN Observer in the same year, and was granted full membership in ASEAN in 1995.[36]

The process of rapprochement between ASEAN and Vietnam leading to Vietnam's membership in the Association can be seen as part of a broader ASEAN scheme to bring the Southeast Asian region in line with one and the same framework for conflict management and a code of conduct for governing interstate relations in the region. The framework is aimed at creating a situation that is conducive to the peaceful management of existing interstate disputes and of potential future disputes throughout the region. Expanding membership in ASEAN and expanding the acceptance of the ASEAN framework for conflict management within the region can be viewed as a process of conflict management brought about by various means forming part of a broader policy of constructive engagement towards not only Vietnam but also Cambodia, Laos, and Myanmar.[37]

Since its entry into ASEAN has Vietnam adhered to the existing conflict management norms and what role has the management of border disputes played? In the earlier sections of this study, the agreements reached with other member states relating to border disputes have been outlined, as have the remaining disputes. The progress achieved since the early 1990s is notable: Vietnam's JDA agreement with Malaysia from 1992 in the Gulf of Thailand, its 1997 agreement on maritime boundaries with Thailand in the Gulf of Thailand, and the 2003 agreement between Vietnam and Indonesia relating to the delimitation of their continental shelf boundary in an area to the North of the Natuna Islands. Another positive development was the 1995 agreement between Vietnam and the Philippines on a de facto "code of conduct" to be observed by the two sides in the South China Sea. In this context that fact that Vietnam and Laos have not only agreed but completed the demarcation of their common land border should be noted. In addition, Vietnam, Thailand, and Malaysia have initiated talks on an area in the Gulf of Thailand in which the claims of the three countries overlap. Although little progress can currently be reported from the talks between Vietnam and Cambodia, the stated Vietnamese willingness to find a negotiated solution can be

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noted. All this points to an overall positive development relating to the management of Vietnam's border disputes with other ASEAN member states.

As can be seen from its management of border disputes with some of the original member states in ASEAN, Vietnam has made considerable progress in the management of its border disputes since it became a member of the Association in 1995. Vietnam's membership in ASEAN has further strengthened its relations with fellow ASEAN members, and this can perhaps help explain why the disputes have become more manageable, but not why a number of them have been resolved either through joint development schemes or through formal delimitation agreements. After all, other ASEAN members too have unresolved border disputes with fellow members some 38 years after the creation of the Association. Vietnam has also made considerable progress in managing border disputes with China and has committed itself to the peaceful resolution of its border disputes with Cambodia. Thus the active and peaceful management of border disputes implemented by the Vietnamese government is paying dividends. The progress achieved indicates that several of Vietnam's neighbours are pursuing similar policies.

The progress made in managing and in some notable cases formally resolving border disputes between Vietnam and other ASEAN member states show that the resolution process has been peaceful. This is another evident indication of Vietnam's commitment to and continued integration into the regional framework of collaboration and integration in Southeast Asia.

This overall positive trend in the management of Vietnam's border disputes contributes to the ASEAN goal to promote peace and security in Southeast Asia. It is also positively contributing to improving interstate relations between the member states of ASEAN. Vietnam's policies on peaceful negotiation of its border disputes are in line with the ASEAN framework for peaceful settlement of disputes between its member states. It can even be argued that the positive developments relating to the management of Vietnam's border disputes in the 1990s and into the 2000s have contributed to increasing the credibility of ASEAN's approach to conflict management as well as to strengthen it.

Conclusion

This study has highlighted the positive developments relating to Vietnam's border disputes from three main perspectives: first, the

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outcome of formal negotiations resulting in the settlement of some disputes or the diffusion of tension relating to other disputes; second, the impact on Vietnam's sovereignty; third, the impact on Vietnam's regional integration.

The main finding is that Vietnam's track record in settling border disputes has been impressive, as seen from the perspective of the Southeast Asian region. The reduction in tension relating to the remaining border disputes is also a positive development. Thus the main conclusion is that Vietnam has been very successful in managing its border disputes in the 1990s and into the 2000s. This does not imply that all disputes have been settled or that all agreements have been fully implemented. Further efforts are needed to resolve the remaining bilateral disputes, for example, with Cambodia, and to prevent tension from re-emerging, for instance, in the South China Sea. The full implantation of the agreements reached thus far is essential. This is important to fully settle the related border disputes, such as the land border with China through the completion of the ongoing demarcation process and the Gulf of Tonkin, as well as with China with the full implementation of the agreements relating to maritime boundary and fishing cooperation. It is also important to enable Vietnam to take full advantage of potential positive effects on its sovereignty both from the national perspective and the regions located in proximity of the settled border both on land and in maritime areas. Vietnam's integration into ASEAN can be further enhanced and strengthened if the trilateral dispute involving Thailand and Malaysia in the Gulf of Thailand could be formally managed through a joint scheme, and this could serve as a model for handling other multilateral dispute in the region. Settling the border issues with Cambodia would positively contribute not only to ASEAN collaboration but also to securing Vietnam's southwestern border regions.

Furthermore, continued and renewed efforts between Vietnam and China to manage their disputes in the South China Sea are equally important to Vietnam and to the rest of the region. The importance of minimizing tension by the two sides can be seen in the agreements made on mechanisms to reduce tension and the actual low level of tension that has been prevailing since the late 1990s.[38] As for the broader South China Sea situation, the adoption by ASEAN and China of the DOC for the South China Sea is a positive step in terms of conflict management. Vietnam and other parties concerned can play active and constructive roles in implementing and abiding by the DOC. The impact of the Tripartite Agreement between the national oil companies of China, the Philippines, and Vietnam on the South China Sea situation

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will have to be assessed in the years to come.

It can be concluded that the overall positive developments relating to Vietnam's border disputes are achievements that deserve recognition but the remaining challenges need to be addressed with renewed determination and commitment by all the relevant parties.

NOTES

1 The views expressed in this study only represent the private views of the two authors.

2 For details on the settlement and demarcation of the land border between Laos and Vietnam, see Gay (1995). See also a report carried by VNA News Agency reproduced in BBC/FE 2975 B/6–7.

3 For the full text of the Agreement of 7 July 1982, see BBC/FE 7074 A3/7–8. The text of the Agreement has also been reproduced in an English-language version as "Appendix 2" in Kittichaisaree (1987, pp. 180–81). Interestingly enough, the "full text" of the Agreement transmitted by the official Cambodian News Agency (SPK) on 8 July 1982 omitted the sentence: "Patrolling and surveillance in these historical waters will be jointly conducted by the two sides", which was included in Article 3 of the version published by Vietnam News Agency (BBC/FE 7074 A3/8, 7076/A3/7) and reproduced in Kittichaisaree's study (1987, pp. 180–81).

4 For reports from Vietnam and the PRK announcing the signing of the Treaty and for the details, see BBC/FE 8143 A3/1–3, see also Quang (1986, pp. 8–9).

5 "The Land Border Treaty" was announced to have been officially signed on 30 December 1999 in Hanoi. See VNA (1999) and AVI (1999); see also *News Bulletin* (*Nhan Dan*) (1999).

6 The "Agreement on the Demarcation of Waters, Exclusive Economic Zones and Continental Shelves in the Bac Bo (Tonkin) Gulf" (name used in Vietnamese sources at the time of signing) was officially signed on 25 December in Beijing. See Vietnam MFA (2000b); see also *Beijing Review* (2001, pp. 9–10). This Chinese source refers to the agreement on the "Beibu Bay", that is, the Gulf of Tonkin. The full text of the agreement has been reproduced in two recent studies: Zou (2005, pp. 22–24) and Nguyen H.T. (2005, pp. 41–44).

7 For details on the fishery agreement, see the text reproduced in Nguyen H.T. (2005, pp. 35–41). For an earlier study, see Zou (2002, pp. 127–48). For broader studies on both agreements, see Nguyen H.T. (2002a, pp. 67–74), Nguyen H.T. (2003, pp. 207–14), Nguyen H.T. (2005, pp. 25–44), and Zou (2005, pp. 13–24).

8 For information about the agreement with Indonesia, see "Vietnam-Indonesia Boundary Agreement Benefits Regional Stability", *News Bulletin* (*Nhan Dan*) (2003).

9 For details on the disputes between Cambodia and Vietnam relating to the land and maritime areas, see Amer (1997, pp. 80–91; 1995, pp. 299–301). For information on the maritime disputes, see also Nguyen H.T. (2002a, pp. 59–63).

10 For an overview of the maritime conflicts and co-operative agreements in the Gulf of Thailand, see Prescott (1998). The area is currently included in the JDA between Malaysia and Thailand but the two countries recognize that it is claimed by Vietnam (details from Amer's discussions with officials in Bangkok in December

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1998, April 1999, and November 2000).

11 Information derived from Gay (1995, pp. 11–17). This book also includes details on the specific border demarcations as well as official Laotian and Vietnamese documents.

12 Vietnam official expressed its displeasure with Taiwanese activities in the Spratly archipelago on "Banthan" reef in both 2003 and 2004. On 31 October, in response to a question by the *Voice of Vietnam* radio station, the Spokesperson of Vietnam's Ministry of Foreign Affairs criticized Taiwan, demanded that Taiwan stop its activities, and reiterated Vietnam's sovereignty claims to both the Spratly and Paracel archipelagos (Vietnam MFA 2003). On 30 March 2004, in response to questions by journalists, the Spokesperson of Vietnam's Ministry of Foreign Affairs once again criticized Taiwan, demanded that Taiwan stop its activities, and reiterated Vietnam's sovereignty claims to both the Spratly and Paracel archipelagos (Vietnam MFA 2004a).

13 For more detailed analyses of the normalization process as such and the way in which the border disputes were addressed during this process, see Amer (2002, pp. 7–8). For a broader analysis of the normalization process, see Amer (1994, pp. 365–66, 376–82; 1999a, pp. 73–74, 105–8; 2004b, pp. 320–28).

14 For details about the actions causing the periods of tension, see Amer (2002, pp. 8–26).

15 The eleventh round of talks was held in Beijing on 6 and 7 December 2004 (*China Daily* 2004b).

16 For details about the ratification process in 2000, see Amer (2002, pp. 29–31).

17 For details about the talks and the context in which they took place, see Amer (2002, pp. 11–34, 50–58).

18 The tenth round of talks on "sea issues" was held in Beijing on 21 and 23 June 2005 (Vietnam MFA 2005b).

19 For details about the talks and the context in which they took place, see Amer (2002, pp. 11–34, 50–58).

20 For details, see *People's Daily* (2004c). See also *Vietnam Law* (2004, pp. 8–10). For an analysis of the implications of the entry into force of the two agreements, see Nguyen H.T. (2004, pp. 9–15, 19). For broader analyses, see Nguyen H.T. (2005, pp. 25–44) and Zou (2005, pp. 13–24).

21 For details on the developments between China and Vietnam relating to the South China Sea, see Amer (2002, pp. 27–35; 2004b, pp. 334–35).

22 See Nguyen H.T. (2001, pp. 105–30); see also Nguyen H.T. (2002b, pp. 19–21). On the DOC, see Buszynski (2003, pp. 343–62).

23 The official announcement of the agreement was made by the Philippines on 6 September 2004 (DFA 2004).

24 Vietnam's reaction to the agreement between China and the Philippines came on 9 September 2004 in response to a question raised by the correspondent of Agence France-Presse to the Spokesperson of the Ministry of Foreign Affairs of Vietnam (Vietnam MFA 2004b).

25 Information derived from DFA (2005a).

26 Information derived from China MFA (2005a).

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27 Information derived from Vietnam MFA (2005a). The official Chinese report concurs with the Vietnamese with only minor language differences. For details, see China MFA (2005b). The official report of the Philippines concurs with the Chinese and Vietnamese on the content of the agreement, but refers to a statement by the Secretary of Foreign Affairs of the Philippines Alberto G. Romulo in which no reference is made to the non-impact on the "basic position" held by each of the three countries, that is, their claims in the South China Sea as spelled out in both the Vietnamese and Chinese reports, respectively. For the report of the Philippines, see DFA (2005b).

28 For details on the nature of the dispute and talks up to 2000, see Nguyen H.T. (2002a, pp. 56–58).

29 For references to an expected settlement of the border issues between Vietnam and Cambodia by the end of 2000, see *News Bulletin* (2000a) and Vietnam MFA (2000a).

30 For details, see Amer (1997, pp. 80–91; 1995, pp. 299–301; 2000, pp. 40–42) and Nguyen H.T. (2002a, pp. 59–63).

31 For more detailed analyses of the normalization process as such and the way in which the border disputes were addressed during this process, see Amer (1994, pp. 365–66, 376–82; 1999a, pp. 73–74, 105–8; 2002, pp. 7–8; 2004b, pp. 320–28).

32 For studies about the developments in relations between Cambodia and Vietnam and China and Vietnam, respectively, during the second half of the 1970s, see, among others, Chanda (1986), Evans and Rowley (1984), Gilks (1992), and Ross (1988).

33 The importance of crude oil exports to the Vietnamese economy can be exemplified by the fact that in 2004 Vietnam exported some 19,600 million tons of crude oil for a total of US$5.66 billion. Revenues from the oil sector contributed to the national economy some 30 per cent of the national budget that same year (Thuy 2005, p. 4).

34 For details on the fishing issue in the context of the agreement of fishery cooperation in the Gulf of Tokin, see Nguyen H.T. (2004, pp. 11–15; 2005, pp. 25–45) and Zou (2005, pp. 13–24).

35 For details on tension including incidents causing casualties on both sides in 1995, see Amer (1995, pp. 310, 317, 318).

36 This summary on the pattern on Vietnam-ASEAN relations is derived from Amer (2004a, pp. 9–22). For details on Vietnam-ASEAN relations during the first half of the 1990s, see Hoang (1993, pp. 280–91; 1994, pp. 259–73) and Nguyen V.T. (1993, pp. 85–92). For a recent study on this relationship in the post–Cold War era, see Nguyen V.T. (2002, pp. 106–20).

37 For a more detailed analysis of the expansion of ASEAN with specific reference to the conflict management aspect, see Amer (1999b, pp. 1031–48). For analyses of the boarder issues relating to regional collaboration in Southeast Asia in the period leading up to ASEAN's expansion, see, among others: Acharya (1993), Chin (1997, pp. 1–19), Kurus (1993, pp. 819–31), Paribatra (1994, pp. 243–58), and Snitwongse (1995, pp. 518–30).

38 Despite the sharp reduction in tension a few incidents have occurred since 1999 (Amer 2004b, pp. 334–35; 2002, pp. 27–35). The most recent was caused by activities carried out by China in areas of the South China Sea that Vietnam considers to be part of its continental shelf. According to Vietnam, China dispatch

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"KANTAN3" and oil-drilling platform to start operation on 19 November 2004. Vietnam officially requested China not to dispatch the oil-drilling platform (Vietnam MFA 2004c). China refuted the Vietnamese request, stating that the oil exploration was taking place within China's "territorial waters" (*China Daily* 2004a). Eventually, China withdrew its drilling platform from the area.

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Contemporary Southeast Asia 27, no. 3 (2005): 453–71 ISSN 0219-797X

Politics in Command: The Case of the US Proposal for an FTA with the Philippines

RENATO CRUZ DE CASTRO

This research examines the politico-strategic motivations of the Bush Administration in fostering Free Trade Agreements (FTAs) with a number of countries, including the Philippines. The article observes that the current efforts of the Bush Administration to push for FTAs are driven by political dynamics, which include, among others, its trade agenda, the US strategy in the war on terror, and the need to ensure American access to the rapidly changing East Asian regional economy. It then discusses the specific politico-strategic motives of the Bush Administration in its offer of an FTA to the Philippines. In conclusion, the article explores the prospects of a successful FTA between the two allies.

Introduction

On 11 March 2002 Senator Richard Lugar presented to the United States Congress Senate Bill 2004. The bill authorizes the American President to negotiate and conclude a free trade agreement (FTA) with the Republic of the Philippines. Washington's offer of an FTA to Manila has very strong political-strategic undertones.[1] It should be noted that Washington's choice of a bilateral negotiating partner is based on several factors ranging from the open trade policy of the partner country, hemispheric political grounds (as in the case of Central America), global strategy (as in the proposed negotiations in the Middle East), and to support for the wider US foreign policy objectives (as in the cases of the Israel, Jordan, and Australia). The Philippines is not a major trading

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partner of the United States. However, an FTA with the Philippines will have important strategic and foreign policy implications for the Bush Administration's current war on terror and for the revitalized security relations with Manila.

A free trade deal with the Philippines will not only manage practical trade problems with the latter, but more significantly, it will build closer bilateral economic and security ties. The Bush Administration considers the proposal as part of its international counter-terrorism initiative. Washington extends an FTA to the Philippines to elicit political compliance and loyalty from the country. It is also aimed at minimizing political disputes between the two allies in the light of the war on terror and other future conflicts in East Asia. From the Bush Administration's view, an FTA deal will provide the Philippines a better chance to compete in a changing and globalizing international economy and, possibly, enable it to lift the majority of the population from poverty through international trade, and to contribute to regional stability and order.

This article raises these questions pertinent to the FTA proposal: (1) What are the strategic and political agenda of the Bush Administration in its current efforts to promote competitive liberalization in international trade? (2) How will the American FTA proposals in East Asia affect the regional commerce and trade considering the growing economic competition among the United States, China, and Japan? (3) What are the possible politico-strategic issues relevant to the US offer of an FTA to the Philippines? (4) What are the prospects of an FTA between the two allies?

The Bush Administration's Trade Policy

The United States is the largest trading state in the world. It is, however, not only a trading state. More importantly, it sees itself and acts as a leader or a hegemon in an open and a liberal trading order. According to American economist Charles Kindleberger, an open and a liberal international trading system requires a strong political leadership by the most advanced economy at a certain point in time. This concept, known as the theory of hegemonic stability, postulates that the leader or the hegemon facilitates international economic cooperation and prevents states from defecting through the use of side payments (bribes), sanctions, and/or other means that can (seldom, if ever) coerce reluctant states to comply with the rules of a liberal international economic order. This theory likewise assumes that a liberal and open international

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trading regime requires certain private good that will be provided by the hegemon — the United States. A public good has the properties of non-exclusivity (inclusiveness) and non-rivalrous consumption (Gilpin 2001, pp. 97–98). In managing the international economy, the hegemon guarantees the following public goods: (1) maintenance of the flow of capital to countries; (2) provision of some order and stability in the foreign exchange rates, at least among the key countries, and (3) arrangements for at least moderate coordination of macroeconomic policies among the leading economies (Gilpin 2001, pp. 97–98). A hegemon provides these goods for the liberal trading order primarily to promote its own interests, and in the case of the United States, its political/security interests.

In the post–World War II era, US trade policy under various presidential administrations has been focused on the promotion of an open and interdependent liberal international economy (composed mainly of the United States and its allies) to strengthen the anti-Soviet coalition. Since 1945, US trade policy has been consistently influenced by its three principal elements: adherence to an economic theory, federal legislation, and political expediency. In the hierarchy of the three, political expediencies mainly drive President George Bush's efforts at trade liberalization (Peterson 2004, p. 40). The current administration considers the FTA as the most credible and significant foreign policy instrument enabling the United States to use its large and attractive market to influence other countries' foreign economic policies (Mastel 2004, p. 48). To show that he meant business, President Bush abolished the National Economic Council (NEC) and declared that his administration would rely more on his own Council of Economic Advisers as well as the National Security Council on trade matters. Thus, he implied a more direct linkage of trade to American foreign policy and security concerns (Petersen 2004, p. 41).

President Bush's trade liberalization policy consists of two major components. The first component involves the adoption of protectionist "safeguards" the US government often used in the past: anti-dumping measures and countervailing duties. These measures are taken primarily to protect certain domestic interests in the American economy — the steel and textile industries, and the agricultural sector. President Bush wanted to establish a powerful link between his popular support base and his trade policy designed to generate political patronage from steel workers and farmers ahead of the 2002 mid-term election and 2004 presidential election. The plan also involved the provision of largesse to the major constituencies of the Bush's Republican Party needed to

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take control of Congress in 2002 and ensure his re-election in 2004 (Petersen 2004, pp. 41–42). By doing these, President Bush intended to placate domestic interest groups sufficiently to neutralize their opposition to his proposed international trade negotiations. With those interests assuaged, Congress could provide him easily with the necessary trade promotion authority.

The other component involves competitive liberalization by forming bilateral and regional FTAs with selected trading partners. This is primarily aimed at pressuring other countries or regional economic blocs to open up their markets. As a case in point, a bilateral trade accord with Central America will increase the incentives for Mercosur (South America's major trade bloc) to agree on an FTA, which in turn, will pressure the European Union (EU) to agree to reduce barriers globally. From the Bush Administration's perspective, bilateral and regional FTAs will trigger the forward momentum for trade liberalization as these will induce the world's major trading actors such as the EU and Japan to complete the broader, multilateral agenda of the World Trade Organization (WTO) (Gordon 2003, p. 105). The US President Trade Policy Agenda declares: "By pursuing multiple free trade initiatives, the United States is creating a competition for liberalization that provides leverage for openness in all negotiations, establishes models of success that can be used on many fronts, and develops a fresh political dynamic that puts free trade on the offensive" (Zoellick 2001, p. 1).

The 9/11 terrorist attacks in the United States accentuated the politico/strategic aspect of the Bush Administration's trade policy, and posed two major challenges to international trade and trade liberalization (Hocking and McGuire 2004, pp. 9–10). First, the impact of the terrorist threat, along with the downturn in the global economy, hindered the further expansion of international trade. Greater trade liberalization was also weakened as security measures to contain terrorism created more obstacles to foreign trade, foreign direct investments, and international migration. Border controls and heightened surveillance of container shipping and air transport resulted in higher transaction cost that adversely affected global trade. American firms were discouraged from relying on foreign assembly operation given the tighter border controls around the continental United States (Eichengreen 2004, p. 1). American companies like McDonald's and Starbucks, whose main opportunities for market growth are outside the United States, have now factored in the extra cost of providing security when they open franchise in other countries. Indeed, the tragic 9/11 events generated a new domestic pressure in the United States to close its borders.

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Second, the 9/11 incidents demonstrated the risks of globalization to American society and the international community. The attacks reinforced the notion that while globalization may bring economic prosperity and affluence, it is also fanning the flames of social fragmentation, as well as racial, ethnic, and religious hatred and conflicts. In the process, US trade policy and the global trading system were placed under severe stress that could reverse the process of trade liberalization. If not checked, this trend could bring the world back to the era of the Great Depression, which was characterized by retrogressive globalization and the collapse of a liberal international economic order. A significant slowdown or a halt of globalization would represent a major defeat for the United States, whose foreign policy since the 1940s has been directed towards managing of a global economy based on economic liberalism.

The Bush Administration, instead of retreating and creating a fortress America, recognized the urgency of the situation. President Bush came up with a foreign economic policy based on further opening up of world markets to seize the initiative from terrorist organizations and other anti-globalization forces. Free trade is considered the best way to strengthen the US economy and foster prosperity in other countries to make them stable and peace-loving (Wayne 2002, pp. 2–23). The Bush Administration needs to ensure the economic stability of its allies battling with international terrorism. A State Department official averred that "it is in our interest to make sure that those nations [US allies] engaged in the front-line of the war against terrorism are not threatened by economic and financial instability" (Wayne 2003–2004, p. 45). In its counter-terrorist campaigns in Afghanistan and Iraq, the United States has always encouraged these two countries to adopt trade reforms designed to transform their war-torn economies to market-based ones. Hopefully, this initiative would stimulate private business activity and generate jobs and growth essential for their economic recovery after decades of mismanagement, war, and sanctions (Wayne 2003–2004, p. 47).

The September 2002 National Security Strategy of the United States of America specifically emphasized economic engagement with allies that could help ensure the security of the United States. Economic engagement would enable these countries to increase productivity and to sustain economic growth by adopting policies such as free trade. Expectedly, free trade would provide "new avenues for growth, and foster the diffusion of technologies and ideas that increase productivity and opportunity" (The White House 2002, p. 17). The document also

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explicitly stated that the United States would utilize bilateral free trade agreements with developed and developing countries in the world to enhance American national security (The White House 2002, pp. 18–19). For the Bush Administration, promoting FTAs is not simply advancing US economic interests. It is bent on injecting political, strategic, and diplomatic items, which are often unrelated to trade and commerce, into its FTA proposals. Its sponsorship of several FTAs in the Middle East was clearly aimed at bolstering US allies in the region. Increased economic growth certainly helps solve security-related problems and make peace more achievable in that part of the world (Mastel 2004, pp. 46–47). Emphasizing the role of FTAs as an effective instrument in pursuing US geo-strategic goals, an American analyst points out:

> Ideally, FTAs might achieve important objectives, such as peace in the Middle East. ... Other foreign policy goals are more debatable. But regardless of the merits of these foreign policy issues, it is worthy of note that FTAs have gone from being a little-used economic device to being a principal tool of U.S. foreign policy, and that is a development worthy of greater attention — far more than it has received to date. (Mastel 2004, p. 48)

The East Asian Imperative

Prior to the mid-1990s, East Asian countries have traditionally avoided discriminatory trade agreements. With their economies generally directed towards the international market and as potential victims of discriminatory trading agreements in other areas of the world, these countries have supported the global multilateral trading regime. The preferred form of trade liberalization of East Asian states has been unilateral action on a non-discriminatory basis, an approach adopted by the one of the region's most comprehensive grouping, the Asia-Pacific Economic Cooperation forum or APEC. APEC adopts an "open" or new approach to regional cooperation in contrast to the EU's old or closed regionalism. While the EU follows a model of a customs union created by formal agreements and managed by supranational institutions, APEC relies on market-driven economic integration devoid of legal and institutional frameworks. APEC is also committed to non-discriminatory trade and investment policies in accordance with the WTO's Most-Favoured-Nation principle.

The absence of any regional economic bloc in East Asia stems from a number of facts. These are: (1) the economic players in the region are unequal; (2) countries in the region have disparate economic interests,

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which explains the lack of coherence and coordination in various economic cooperation ventures; (3) the United States is heavily involved in the regional economy; and (4) the United States opposes any East Asian regional arrangement that would exclude North America and Oceania (Davison 2004, p. 148).

At present, all the East Asian countries are signatories to one or more proposals for a preferential trading arrangement (PTA). Since 1999, more than 20 schemes for PTAs in East Asia and the Western Pacific have been tabled and by 2003, more than 60 have been proposed, being considered, under negotiation, or signed (Ravenhill 2004, pp. 56–57). Indeed, the possibility of forming regional trading groups or blocs in East Asia is in the minds of many policy-makers in region. East Asian states may be compelled to undertake regional or bilateral initiatives to counter possible market access discrimination or trade diversionary measures with the formation of NAFTA and the deepening of the EU (Davison 2004, p. 153). What explains this newfound enthusiasm for preferential trading arrangements in East Asia?

The first factor was the shock of the Asian financial crisis in 1997. The crisis unleashed the full destructive force of unregulated finance as it shattered a number of economic dragons in East Asia. The massive outflow of financial capital from the region drained national reserves and left several East Asian's financial institutions in tatters. Traumatized by a massive capital flight out of the region and humiliated by the intervention of the International Monetary Fund (IMF), East Asian states became apprehensive of the possibility that the global economy was getting out of control (Bullard 2002, p. 52). This prompted several proposals for new arrangements that would enable countries in the region to prevent, if not better manage, any future financial crisis (Schott 2001, p. 10). Every East Asian country recognized its stakes in the economic health and political well-being of its neighbours. Thus, "help thy neighbor, help thyself" became the mantra in intra-Asian economic relations (Schott 2001, p. 10). The economic contagion also goaded the region's domestic business groups to explore the possibility of PTAs with neighbouring countries. These groups observed that their countries were at a disadvantage in markets where their competitors enjoyed preferential access like in Latin America and Western Europe (Ravenhill 2004, p. 11). Japanese and South Korean business groups became extremely vocal about the difficulties they experienced in penetrating the South American auto markets because of NAFTA and asked their governments to negotiate for PTAs. No wonder Japan and South Korea are primary proponents of FTAs with countries both in and out of the region. Japan discussed potential FTAs with Korea and

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Mexico and formally launched FTA negotiations with Singapore that led to an agreement in 2001. South Korea, meanwhile, discussed FTAs with Japan, Singapore, and New Zealand.

Analysts and government officials in East Asia are actively discussing an FTA that will transform the sub-region to a "huge trading bloc", creating a dividing line in the Pacific. This might lead to the fragmentation of the global economy into three major trade blocs — the NAFTA, the EU, and an East Asian bloc dominated either by Japan or China (Davison 2004, pp. 152–53). The emergence of an East Asian bloc would result in the creation of a tripartite world, a scenario that could potentially trigger destructive trade wars if each bloc would aggressively seek to enhance its own market at the expense of the others or if any two blocs would form an alliance against the third party.

The second factor precipitating the formulation of PTAs in East Asia is China's emergence as an economic power. Desirous of rapid economic growth, China has taken extensive steps to liberalize its trade barriers and reform its regulatory policies. This has made the country a significant trading partner of most Northeast Asian states and a rival as well as a partner to most Southeast Asian economies. China has joined the GATT and the WTO and has committed itself to further open its market to a far greater extent than what some highly developed countries that are members of these international organizations have done. More significantly, China has embarked on a mission to form a free trade area with Southeast Asian states and has initiated efforts to form another in Northeast Asia. In November 2000, Beijing proposed an FTA to the ASEAN countries during the Singapore Summit Meeting of the "ASEAN Plus Three" (APT). The following year, Beijing offered to open some sectors of its economy to the ASEAN countries before they would be scheduled to reciprocate. To sweeten the pot, Beijing offered additional concessions to ASEAN's less-developed members. In 2002, Chinese officials agreed to reduce tariff from January 2004 on agricultural imports from ASEAN as an "early harvest" phase of trade liberalization. This concession reflects Beijing's determination to forge a China-ASEAN FTA (Moore 2004, p. 122). China aims to complete this FTA with ASEAN within the next ten years, and lead in the formation of PTAs in East Asia at the expense of the United States and Japan.

These developments suggest that the East Asian economies are intensifying their regional interactions and in future they may become less reliant on the US market for exports and imports. Whether it will be a Japan-FTA or a China-FTA or both matters not. Truly, these are powerful centrifugal and regionalizing forces in the East Asian economies that are fundamentally incompatible with America's interest of

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continued access to the regional market. Ironically, these regional FTAs are being formed in response to American initiatives to form FTAs in the Western Hemisphere (Gordon 2003, pp. 106–7). The United States cannot just observe these developments passively. A key US foreign policy interest in East Asia is to facilitate the region's prosperity by encouraging open markets, free trade, and continuous access to the regional market. Its ingress into the region's dynamic economies and greater free trade throughout East Asia could reinforce the US legitimacy as a key regional politico-strategic actor (Tow 2001, p. 173). No less than US Trade Representative Robert B. Zoellick emphasizes this when he states:

> ... good economic ties create a stronger foundation for America's ongoing security engagement in the Pacific. I'll illustrate the point by referencing a comment made ... by a former Australian Defense Minister. He said that the policy planning staffs throughout East Asia are examining two questions ...: one is whether they should develop weapons of mass destruction. The other is whether they should shift their conventional forces from internal security to force projection ... the primary variable in those analyses is whether the United States maintains a forward presence in Asia ... I also believe, however, that it will be very difficult for any administration to maintain that presence well into the future unless I can demonstrate to the American people that we have strong economic and political ties to the region. (Zoellick 1994, p. 2)

The Southeast Asian FTA Gambit

In the attempts of a regional economic bloc to exclude the United States, Washington traditionally taps the support of friendly members of the bloc to check any internal trend that goes against American economic and political interests. For instance, in the EU, the United States counts on Germany and Great Britain as counter-weights to France. In Mercosur, the United States encourages Argentina to monitor Brazil's protectionist tendencies. Within East Asia, the FTA deals of the United States with several countries can prevent China and Japan from dominating a possible East Asian Free Trade Area (Ong 2003, p. 67). Strengthening economic linkages with some ASEAN countries also gives the United States more leverage in shaping an East Asian regional bloc. In the face of China's efforts to forge an FTA with Southeast Asia, it is in the interest of the United States that this development is consistent with the WTO framework and involves American and other foreign investors who will provide the capital, technology, and talent to

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fuel this regional cooperation venture (US-ASEAN Business Council 2003, p. 3).

In October 2202, President Bush announced the Enterprise for ASEAN Initiative (EAI). The EAI offers the prospects of an FTA to ASEAN countries committed to economic reforms and openness. In May 2003, Singapore became the first ASEAN country to sign an FTA with the United States. Under the agreement, Singapore will eliminate its tariffs on US goods immediately, while the United States will eliminate tariffs on Singaporean exports over time, starting with the least sensitive products entering the United States and, upon the agreement's entry into force, the most sensitive products entering duty-free after a ten-year period. The US-Singaporean FTA agreement also includes certain provisions that go beyond WTO and NAFTA regimes as it provides for trade liberalization in a variety of services, stronger protection for intellectual property rights, substantial ability to compete for government contracts in the partner country, regulations, and dispute settlement procedures. However, the agreement appears favourable to the interests of the country with the larger economy. As one analyst observes:

> The reciprocity of these two agreements takes the form of the two smaller countries accepting much of the U.S. trade agenda (on services, government procurement, investment, e-commerce, labour, environment, and other issues), and the United States providing legal assurance (although not complete assurance, viz., with respect to AD and CVD actions) of access to its market. Singapore and Chile had to change some laws in the process whereas the United States, generally, did not. (Weintraub 2003, p. 17)

Nevertheless, the two countries are seen as natural partners in a free trade arrangement expected to stimulate a "bandwagon effect" (Weintraub 2003, p. 9). This means that other Southeast Asian countries will eventually negotiate their own FTAs with the United States. Singapore's pioneering FTA could serve as an incentive for other Southeast Asian states to follow suit (Daquila and Huy 2003, p. 918). The US-Singapore FTA also demonstrated the possibility that the United States might further open its huge market, on which Asian economies are heavily dependent since the 1980s (Daquila and Huy 2003, p. 918). However, many economists find the deal controversial, and worry that individual deals could undermine the kind of broader trade deals the United States also seeks (Buckman 2003, p. 18).

In October 2003, Thailand and the United States began negotiating for their own bilateral FTA. From Bangkok's view, a Singapore-style

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free trade pact will enable the country to export footwear, sweaters, baby's clothes, sugar, and canned tuna to the United States (Buckman 2003, p. 18). It will also give the country the edge over competitors such as Mexico in such products as brassieres (Buckman 2003, p. 19). For the United States, an FTA will mean greater access to the Thai market for American exports, particularly agricultural products such as oil seed, cotton, cereals, soybean oil, cake, dairy products, distilled spirits, and pork. It will also result in greater US access to service industries such as banking, insurance, and law. More significantly, the FTA will make Thailand "a regional leader in the pursuit of trade liberalization" with the deal serving "as a barometer for other countries in the region that are interested in forging an FTA with the U.S." (Brilliant 2004, p. 2). From Washington's perspective, the FTAs with Singapore and Thailand will provide a stable anchor for US economic penetration of the region and will probably foster closer economic and political ties with ASEAN. Other Southeast Asian nations will be confronted with a pressing need to consider a region-wide trade liberalization since bilateral FTAs foster trade discrimination against non-signatories to these economic arrangements. These agreements will also promote the broader US trade agenda by serving as a model, breaking new negotiating ground, and setting high standards for future FTAs in Southeast Asia against other PTAs with third countries (Japan and China).

Politics in Command: The Philippine Case

Affected by the bandwagon effect of bilateral FTAs with the United States in Southeast Asia and apprehensive of being left out in the cold, the Philippine government is looking into the possibility of also signing a free trade pact with its largest trading partner. The United States is a major market specifically for electronics and semiconductor goods that account for almost 70 per cent of Philippine exports. The United States is also a major market for Philippine garments and textiles which enjoy discounted duties under the US import quota allocation system. It is not surprising that the Philippines' biggest garment firms are pushing for the fast-tracking of an FTA between the two countries in the light of the lifting of the garments quota in 2005.

However, US trade officials are lukewarm to an FTA with the Philippines, arguing that the latter does not meet a major criterion — the ability to fulfil its international commitments (*Business World* 2004, p. 1). They also deplore the country's inadequate efforts or failure to enforce intellectual property rights compliance, shipping and ports safety compliance, corruption- and hassle-free import and export

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procedures, compliance with US regulations for exporters, and overall capability to push an FTA with the world's largest economy. A noted American economist, Marcus Noland, commented that the Philippines is simply not capable of negotiating an FTA with the United States because of structural issues, and that the former has a history of forging agreements that "do not amount to much" (Gonzales 2003, p. 1). However, Noland admitted that the United States might be motivated by a strategic consideration if it would negotiate an FTA with the Philippines. He added that the only reason "the U.S. might be interested in entering into an FTA with the Philippines is if it involved military and security concerns" (Go 2003, p. 1).

This view reveals the real motive in the US gambit to lure its former colony to an FTA. Washington is bent on reinvigorating its economic interests in Southeast Asia after three years of stagnation caused by terrorism, a struggling domestic economy, and China's economic intrusion into the region (Malakunas 2003, p. 1). The United States is concerned with China's economic motives in Southeast Asia and thus finds it in its interest to increase trade with the region. The PRC is currently using its booming economy to dispense opportunities to ASEAN countries and to draw them to its growing political orbit. China dispenses important side-payments to the ASEAN states to draw them closer to its huge economy. It relies on the institutional framework of the APT process to achieve this goal. China's diplomats regard the APT as the "main channel of East Asian regional cooperation", which signifies its relative importance to other regional fora (Moore 2004, p. 1). Under the Chiang Mai APT agreement, China inked bilateral swap arrangements with Thailand (December 2001) and Malaysia (October 2002) (Davison 2004, p. 60; Moore 2004, p. 121). Beijing has also pledged to finance some Philippine infrastructure projects and to purchase liquefied natural gas from Indonesia's West Papua province, a commercial deal that is valued at US$25 billion (Davison 2004, p. 60). The most consequential side-payment by China to the ASEAN states is its offer of an FTA.

An ASEAN-China Free Trade Agreement (ACFTA) will not only symbolize China's economic ascendancy in East Asia but will also foster its closer economic integration with the Southeast Asian states. It will spur intra-regional investments, increase the access of ASEAN imports to the huge Chinese market, and lead to a massive influx of Chinese products to the Southeast Asian market. An ACFTA will also promote an exclusivist-type of ASEAN regionalism embodied in Mahathir Mohammad's proposal to establish an East Asian Economic Group in the early 1990s (Breslin 2004, p. 122). This will create a worst-

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case scenario for the United States — China replacing the United States as the major power and primary market in Southeast Asia within the next two to three decades. Furthermore, the proposed ACFTA provides the "three Pillars" (Recognition, Stability, and Opportunity) between China and ASEAN that are allegedly more comprehensive in scope than the Enterprise for the ASEAN Initiative (EAI) proposed by the United States and the Comprehensive Economic Partnership (CEP) offered by Japan (Lin 2005, p. 49). Indeed, an ASEAN-China FTA can cement an economic relationship between the ASEAN member states and Beijing at the expense of Tokyo and more significantly, Washington (Ong 2003, pp. 57–72).

Currently, the United States appears apathetic and more concerned with its global counter-terrorism campaign. But China has successfully achieved its two main objectives in Southeast Asia — to erase its image as a vague outside threat to the ASEAN states and to become an active and fast-growing economic partner to these small states. Furthermore, ASEAN countries now consider China as an economic dynamo creating opportunities for regional investments, tourism, technology transfer, and export of goods and services. Shortly, this will resonate among the Southeast Asian political elite as clear signs that China cares more about the region than the United States does. ASEAN countries might eventually adopt a policy of "following the dragon, and abandoning the goose" (Lin 2005, p. 59). After more than 50 years of the being the dominant economic and military power in Southeast Asia, the United States now confronts the emergence of another economic power that could affect its interests.

Corollary to this, Washington needs to review its Southeast Asian policy and to ponder on the potential of closer Sino-ASEAN relations and the implications of a successful ASEAN-China FTA before 2010 (Lin 2005, p. 62). China's growing economic clout in Southeast Asia has spurred Japan to respond with its own FTA, and to develop its own institutionalized relationship with ASEAN (Yahuda 2003, p. 301). The United States is following suit. In 2003, the US-ASEAN Business Council asked the US government to monitor and ensure that the proposed China-ASEAN FTA is aligned with the WTO principles, and open to American and other foreign investors (US-ASEAN Business Council 2003, p. 3). Then in 2005, during his recent visit to Southeast Asia, Deputy Secretary of State Robert Zoelick took a snipe at China by stating that US FTA proposals are more comprehensive than similar agreements offered by other countries (Goh 2005, p. 3). During his eight-day visit in Southeast Asia, he stressed the Bush Administration's determination to negotiate more FTAs in the region. He also offered

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economic assistance and strategic initiatives to the Southeast Asian states, reminding them that the United States still retains greater capacity than China to contribute to regional economic development and security (Goh 2005, p. 3).

The case of the United States' subtle efforts to forge an FTA with the Philippines is part of an overall effort of Washington to work with a Southeast Asian state to balance any influence that China might wield in its FTA within ASEAN. An FTA with the Philippines (and with other ASEAN states) will strengthen US ties with regional economies and provide a powerful leverage for the United States to shape regional free trade arrangements with Southeast Asian states (Ong 2003, p. 69). It will also prove that the United States can offer more substantial and significant trading arrangements than China. These arrangements could serve as a blueprint for future bilateral trade arrangements with other Southeast Asian countries, and bring potential economic gains for American business (Malakunas 2003, pp. 1–2).

Another politico-strategic objective behind the US FTA with the Philippines is to reward in tangible terms an ally in the war on terror, and to cement this political/military alliance (Mastel 2004, p. 50). Several weeks after 9/11, President George Bush sent military observers to the Philippine southern island of Mindanao to assess the Armed Forces of the Philippines' (AFP) operations against the Abu Sayyaf, a group of terrorists linked to the al-Qaeda network. Shortly after, President Gloria Macapagal Arroyo flew to Washington to meet with President Bush. During the meeting, she stressed the vulnerability of the Philippines to international terrorist groups and affirmed her country's support of the global campaign against terrorism. Consequently, President Bush agreed to provide the Philippines a considerable amount of loans and grants, along with US$92.2 million worth of military assistance, which was then equivalent to about 10 per cent of the AFP budget. The following year, the United States deployed 650 troops to Mindanao to assist the AFP in its counter-terrorist operations against the Abu Sayyaf. These troops, however, are not to conduct any independent military operation against local insurgents. Rather, their task is to provide training and advice to the AFP in its anti-terrorist campaign. This military activity revitalized Philippine-US security alliance and led to the allies' greater cooperation in thwarting attempts by the al-Qaeda to establish a foothold in the Philippines or elsewhere in Southeast Asia.

To justify its counter-terrorism campaign in Southeast Asia, the US government maintains that it is in "America's long-term interest to promote a community of prosperous Southeast Asian nations that is

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growing economically, open to free trade investments, politically stable, as well as accountable to the peace of the people and hopefully in a circumstance of peace" (Leach 2001, p. 1). An important component of the US overall anti-terrorist approach is economic reconstruction critical to the political stability of these states. Washington is determined to help the Southeast Asian countries reinvigorate their economies by "encouraging freer trade and investment and economic reform" (Rabasa 2001, p. 25). It also believes that military action alone cannot end terrorism in the Philippines in particular, and in Southeast Asia in general. Although it considers military force as a necessary component of its anti-terror campaign in the Philippines, the United States, nevertheless, regards economic development equally vital since poverty is an effective incubator for violence and terrorism (Rogers 2004, p. 19). In fact, current US counter-terrorism strategy in the Philippines is shifting away from combat-related operations and towards economic and political reforms to rectify domestic conditions that breed terrorism. From Washington's perspective, the two countries have crossed the threshold into a mature security relationship that should be "aimed at attacking the roots of terrorism through economic development and political reform" (Baker 2005, p. 8). The best way to spur Philippine economic growth is a free trade deal. An FTA with the Philippines will hopefully solve some local economic and political problems and make peace more achievable in the country. The Bush Administration contends that an FTA can help strengthen property rights, competition, the rule of law, investments, the spread of knowledge, open society, efficient allocation of resources, and regional integration — all contributing to growth, opportunity, and confidence in a developing country such as the Philippines (The White House 2002, p. 19).

Conclusion

The current US effort to forge an FTA with the Philippines is a classic example of how the Bush Administration is using FTA as a tool to advance US objectives on a range of issues that include "areas of foreign policy that were previously seen an unconnected to trade agreements". Like US FTAs with Israel, Jordan, and to a certain degree with Australia, the US offer of an FTA to its former colony demonstrates how Washington harnesses the strength of the American economy to influence certain countries on a number of foreign policy and strategy issues. The primary objective, at this juncture, is to enable the United States to develop leverage in Southeast Asia at a time of intense Chinese economic intrusion into the region. An FTA

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with Manila will enable Washington to show that it can offer more comprehensive and effective trade arrangements than Beijing. It will also prevent China from triggering the "follow the dragon, abandon the goose" pattern among Southeast Asian countries. The secondary objective is to strengthen an ally's capability in combating terrorism. Accepting Manila's view that the campaign against international terrorism should also address local economic problems that engender terrorism, the Bush Administration now focuses on economic and political reforms, the pursuit of which requires "moving ahead with bilateral free trade agreements".

The prospect of an FTA with the world's largest market is a sufficient incentive for any US trading partner. Moreover, given that the US market absorbs nearly 70 per cent of its exports, the Philippines cannot simply afford to be left out from America's system of bilateral free-trade arrangements in Southeast Asia. However, the issues of whether the US government will give its all-out support to this initiative of the Bush Administration and whether the Philippines is ready for such a trade agreement need to be settled. The US Congress is becoming wary of the White House's moves to use FTAs as a foreign policy tool, while ignoring its own agenda of fostering economic growth, raising living standards, and decreasing the unemployment rate. The American legislators on Capitol Hills are closely monitoring the negotiations of new FTAs to ensure that they conform to the country's economic interests. It is also probable that in the near future, the US Congress might determine that using the FTAs a tool to pursue strictly political and strategic objectives is unwise and potentially counter-productive to America's long-term economic goals.

Another major problem is whether the Philippines can comply with the general and specific provisions of a comprehensive FTA with the United States. The nationalistic stipulations of the Philippine Constitution, the various interest groups with parochial interests and agenda, the inefficient and protected industries, the state's inherent weakness in complying with international agreements, and rampant corruption will surely hinder the signing and implementation of a US-Philippine FTA. In addition, a trade agreement with the country's former colonial overlord will definitely trigger a nationalist backlash from the political opposition and the organized left. With this bleak prospect, a US-Philippine FTA will become in itself a difficult and controversial matter. Employing it as a means to advance politico-strategic goals will expose its dubious merit and make it a problematic affair for both sides.

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NOTE

1 A free trade agreement consists of an arrangement between states by which they agree to remove all customs duties (quotas) on goods passing between them. Each party is free, however, to unilaterally determine the level of customs duty on imports coming from third party states. A good example of this arrangement was the European Free Trade Area of 1957.

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Contemporary Southeast Asia 27, no. 3 (2005): 472–98 ISSN 0219-797X

Challenges of Globalization: Malaysia and India Engagement

FAIZAL YAHYA

This article examines the emerging relations between India and Malaysia in the context of challenges posed by globalization and how these could be overcome by enhancing bilateral and regional linkages. It argues that globalization in the post–Cold War era has resulted in more visible trends towards economic integration. Due to the inability of the South Asian Association for Regional Cooperation (SAARC) to increase intra-regional trade, India is looking towards other regional organizations such as ASEAN to strengthen its trading links. Furthermore, there are other factors pushing India to enhance ties with ASEAN, such as the emergence of China as a competitor. Malaysia is India's largest trading partner from the ASEAN region. During the process of India's transition from a sectoral to a full dialogue partner in ASEAN, Malaysia also played a pivotal role as India's country coordinator and was tasked to integrate India further into the ASEAN region. India and Malaysia were also chosen because of their historical, cultural, social, and religious linkages. However, there remain impediments to the strengthening of bilateral ties, such as Malaysia's stand on Kashmir — an issue importing a Muslim dimension that evidently impacts upon India-Pakistan relations, and Kuala Lumpur's close ties with the Muslim world through membership in the Organization of Islamic Conference (OIC).

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Introduction

India is not a major player in the global trading system because its share of total global trade is less than 1 per cent. Nonetheless, India's population base of over 1.07 billion and an expanding middle class of around 300 million to 340 million and as the third largest economy in Asia, ensures that it receives attention from its major trading partners in Europe and North America (United States and Canada). One of the facets of globalization has been trends towards increasing economic linkages between countries and between regions, while the other was strategic security in a post–Cold War world. India's own involvement in the South Asian Association for Regional Cooperation (SAARC) has not resulted in greater trade and security. The level of intra-regional trade among SAARC members was low because their economies lacked comparative advantage. Moreover, the smaller economies feared that Indian capital and lower-priced goods will flood their markets if they were to liberalize their economies. SAARC countries have resorted to non-tariff policy barriers such as anti-dumping measures to limit trade with India (*Financial Express*, 2005). Contrary to the principles of SAARC, bilateral disputes between India and Pakistan such as over the disputed territory of Kashmir had also stalled trade in SAARC. India has become increasingly concerned that it will be marginalized with the formation of regional trade blocs. Table 1 indicated that India's total trade share with the major trade blocs has decreased.

The objective of this article is to examine the challenges of globalization[1] facing India and Malaysia and their responses to these challenges. From the Indian perspective it needs to diversify trade away from the European Union and the United States and counter China's influence in the Asian region. From the perspective of the Association of Southeast Asian Nations (ASEAN) members, India has the potential to be an alternative market, a source of capital, and

Table 1
Total Trade between India and Major Trade Blocs, 2003–2005 (Percentages)

Year	ASEAN	CIS	EU	NAFTA	OECD
2003–2004	9.02	1.55	18.94	11.56	41.66
2004–2005	9.33	1.62	20.73	12.92	44.82

SOURCE: *Financial Express*, 13 September 2005.

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technology to rival China. At the bilateral level, India has strong historical, social, and cultural linkages with individual ASEAN members such as Malaysia. Malaysia also hosts the largest ethnic Indian community of two million people among all the ASEAN members and is one of India's largest trading partners in ASEAN. As a trade-dependent economy, Malaysia was exploring the bilateral trade route as alternative paths to forging closer economic linkages with its major trading partners (Hew and Sen 2005). Furthermore, Malaysia also made an interesting case study due to its Islamic identity and Islam being the official religion. Malaysia's projection of its Islamic identity on the international stage is mainly through its membership in the Organization of Islamic Conference (OIC) and support for other Islamic countries and issues. In this context, Malaysia has close links with Pakistan, India's rival in South Asia. This is likely to impede Malaysia's efforts to strengthen ties with India.

Islamic Ties

Malaysia's vision of neutrality in its foreign policy was interlinked with its vision for fostering closer linkages with other Islamic states. In the 1960s, during the regime of Malaysia's first Prime Minister Tunku Abdul Rahman, it was accepted that although Malaysia is a Muslim country, its international relations had to be placed above other considerations. In this context, Malaysia extended its support for India in the second Indo-Pakistani war. Subsequently, Malaysia also severed diplomatic ties with Pakistan in October 1965 following Malaysian support for India in its dispute with Pakistan over Kashmir (Nair 1997, p. 57). The turning point for Malaysia's foreign policy occurred during the Confrontation with Indonesia from 1961 to 1966. Malaysia realized that although it managed to secure the aid of British and Commonwealth countries, Indonesia on the other hand managed to gain support from fellow Muslim countries (Nair 1997, p. 57).

Learning from this incident, in the 1980s, then Malaysian Prime Minister Mahathir encouraged his own "Look East" policy aimed at enhancing trade ties with dynamic Asian economies such as Japan but at the same time calling for Islamic unity. Malaysia also realized that its relations with the Western powers must not be pursued at the expense of losing international support from fellow Muslim countries. In this context, Malaysia cultivated ties with Pakistan as a fellow moderate Muslim country. Prime Minister Mahathir also had close rapport with then Pakistan's Head of State, General Zia Ul-Haq. For example, Prime Minister Mahathir and his predecessor, Tun Hussein Onn, were also

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conferred special awards by Pakistan. Mahathir's need to symbolize Malaysia's support for the Muslim world also had a domestic dimension. Before the Malaysian General Elections in 2004, the opposition political party in Malaysia, PAS (Parti Islam SeMalaysia) was gaining political ground and was critical of the ruling National Front for its lack of support for the Muslim world. The new Prime Minister of Malaysia Abdullah Badawi has stronger Islamic credentials but the Malaysian government is still concerned over the rise of Islamic extremism in its domestic arena. While Malaysia has deliberately kept on a moderate Islamic path (Nasr 2001, pp. 110–11), this changed in the 1990s when Malaysia casts its diplomatic net wider to foster closer relations with the Muslim world and the OIC.

In the early 1990s, Malaysia used every opportunity to lobby for the interests of Muslim countries. The main thrust of Malaysia's economic growth and development in foreign policy again became secondary. For example, Malaysia galvanized international support for the Bosnian Muslims during the Balkan wars, even at the expense of straining its ties within the ASEAN grouping. Furthermore, Malaysia highlighted the issue of the destruction of the Babri Mosque in Ayodha, India (Baruah 2001a). In this light, Malaysia opposed the proposal to have a separate India-ASEAN summit despite the strong support that this proposal had received among the other ASEAN members (Baruah 2001a).

In contrast, Malaysia was keen to have Pakistan admitted into the ARF but was disappointed by India's opposition (Baruah 2001c). When India received greater support among ASEAN members for an India-ASEAN summit meeting, Malaysia softened its opposition and agreed with the consensus. Malaysian support for Pakistan's eventual membership into the ARF (July 2004) was manifested in its instrumental role in lifting the ASEAN moratorium on new membership (Rahman 2003). At the Senior Officials Meeting (SOM) in Vientianne, Laos, the Malaysian request to admit Pakistan into the ARF was rejected. However, the follow-on ASEAN Foreign Ministers meeting at the same venue eventually concluded with the lifting of the moratorium and the decision to admit Pakistan into the ARF.

Islam in Malaysian domestic politics remains a very sensitive but influential issue, as can be seen in the March 2004 General Elections (*Taipei Times*, 2005). The ruling National Front won nearly 90 per cent of parliamentary seats, which indicates that the government can function without being beholden to religious political parties (Ressa 2004). Prime Minister Badawi's ruling National Front coalition had also recaptured the state of Terengganu from PAS and nearly captured the PAS

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stronghold state of Kelantan, which PAS managed to retain after a recount and won by only a few hundred votes. Badawi had campaigned hard in the northern states, the heartland for ethnic Malay Muslims and has called for a modern and progressive Islamic rule (*BBC News*, 2004). In this regard, Malaysia is also in tune with the concept of moderate Islam that is adhered to by Pakistan's President Musharraf.

Religion too had played a key role in India's partition in 1947 that sowed the seeds of dispute between India and Pakistan over Kashmir. Lack of progress in SAARC has been mainly attributed to disputes between its two largest economies of India and Pakistan. While disappointed at SAARC's lack of economic progress, India has been impressed at the economic progress made by ASEAN and its objective of achieving economic integration for all its members (Green 1994, p. 120). India is drawn to the dynamic of economic regionalism,[2] evidenced by the ASEAN grouping. The close geographical proximity of India and the ASEAN region would foster trade ties because it will reduce the costs of transportation and storage.

India's "Look East" Policy

India's "Look East" policy was initiated in 1991 after the Cold War when India faced a number of successive strategic and economic challenges which threatened its political survival (Rao 1996, p. 763). The breakup of the Soviet Union deprived India of its main trading partner and source of low-cost imported oil. India was forced to purchase oil at market prices which were inflated because of the First Gulf War in 1990. The Gulf War also caused an exodus of Indian expatriate labour in the Gulf region back to India and this meant a loss for India in terms of remittances from its Gulf workers worth billions of US dollars. In 1991, faced with dwindling foreign reserves of only around US$240 million, which was sufficient for approximately two weeks' worth of imports, India had to realign its foreign trade and economic policies. Enhancing ties with the Southeast Asian region represented a springboard for India to lobby for entry into the Asia Pacific Economic Cooperation (APEC) grouping and Asia Europe Meeting (ASEM) for its eventual leap into the global marketplace (Rao 1996, p. 766; Chirathivat 1996, p. 755). Phase one of India's Look East policy was implemented to refocus its economic relations with Southeast Asia because it will help to diversify trade away from its main trading partners in North America and Europe. From the perspective of the Ministry of External Affairs (MEA), engagement with the Southeast Asian region was in line

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with India's strategic policy to meet the growing threat of China in the region (Kuppuswamy 2002).

ASEAN responded positively to India's advances and India was made a sectoral dialogue partner in 1992. India also realized that the key to developing its relations with ASEAN was to build strong bilateral ties with influential members such as Malaysia (Rao 1996, p. 763). In this context, Malaysia played an active role to reciprocate India's overtures when Indian Defence Minister Sharad Pawar visited Malaysia in February 1993 to sign a defence-related Memorandum of Understanding (MOU). Trade between India and the ASEAN region rose from US$3.5 billion in 1991 to US$15 billion in 2004 and is projected to rise to US$30 billion by 2007. India signed a bilateral Free Trade Agreement (FTA) with Thailand in July 2003 (Zhu 2003), a Comprehensive Economic Cooperation Agreement (CECA) with Singapore in June 2005, and is negotiating another CECA type FTA with Malaysia. However, India's earlier FTA signed with Thailand encountered difficulties because both countries were aiming to become major automotive manufacturing hubs and component suppliers for the region. Furthermore, Indian industries were not sure about their competitive efficiency and were concerned that such pacts will be used for cheaper imports to enter India and many economic sectors are still wary of foreign competition (Basu 2004).

However, the Look East policy also faced a number of impediments that hindered its progress. Internally, from India's perspective, frequent changes in its federal government created political instability indicating that foreign economic policy took a lower priority. Externally, India's nuclear tests in May 1998 followed by those in Pakistan brought swift retaliation from developed countries such as the United States and Japan in the form of economic sanctions. ASEAN abided by the imposed sanctions and trade relations between India and ASEAN suffered. India's armed skirmish with Pakistan at the Kargil region in 1999 also took India's attention away from the Look East policy.

Internally, from the ASEAN perspective, the Asian financial crisis of 1997 displaced ties with India to an afterthought and ASEAN's membership enlargement to seven and eventually ten members by the end of the 1990s meant more time was needed to restore coherent organizational dynamics. The end of the 1990s and early 2000 marked the second phase of India's Look East policy, which was hastened by the 9/11 terrorist attack in the United States and the terrorist attack on the Indian Parliament in December 2001. The second phase of India's Look East policy saw greater efforts to forge links with the CLMV states

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(Cambodia, Laos, Myanmar and Vietnam) and canvass support for India to have a summit level meeting with the ASEAN. This was similar to the ASEAN+3 meetings between ASEAN and its Northeast Asian major dialogue partners. India's increasing strategic linkages with ASEAN is also a manifestation of phase two of the Look East policy (Sinha 2003).

Economically, the second phase of the Look East policy was intended to diversify India's trade ties in ASEAN away from the original or ASEAN-6 members. Strategically, India's Andaman and Nicobar islands in the Bay of Bengal are closer to some ASEAN states than to the Indian mainland (Vajpayee 2003). The CLMV states were also being courted by China, which could use Myanmar's coastal areas as listening posts to monitor Indian bases on the Andaman and Nicobar islands. Myanmar has become a strategic battleground for influence between China and India. China managed to build a maritime reconnaissance and electronic intelligence system on Myanmar's Coco Islands to monitor Indian naval activities, especially in the Bay of Bengal (*Asia Times*, 8 October 2004). Chinese influence in Myanmar comes in the form of foreign aid, military equipment sales, and other cooperation. India has initiated similar cooperative measures such as assistance to convert the Myanmar port of Dawei into a deep-sea facility.

Competition from China

The emergence of China as an economic dynamo and its increasing trade linkages with ASEAN member countries has been one of the main motivating factors for India to enhance its own linkages with the ASEAN region (Basu 2003). At the ASEAN Summit meeting in Cambodia in November 2002, the Chinese and ASEAN leaders had signed an agreement to establish a China-ASEAN Free Trade Area (FTA) by 2012. The FTA would cover 1.5 billion consumers and two-way annual trades of US$1.2 trillion. While the FTA will eliminate tariffs and non-tariff trade barriers, it also provided safeguards for the less-developed ASEAN members. For example, the CLMV states were given deferred deadlines for FTA implementation and provisions for foreign aid. China also decided to assist Cambodia by writing off its debt of around US$200 million (*Asia Times*, 6 November 2002).

The emergence of China as a major economic power has resulted in foreign direct investment (FDI) being diverted away from the ASEAN region. In the early 1990s, Thailand and Malaysia were the worst affected and recorded a more than 60 per cent fall in the amount of approved foreign investments. Indonesia remained unaffected because

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of huge capital inflow from Singapore. In 1998, FDI of US$18.9 billion was flowing into ASEAN but in 1999 this had shrunk to US$9 billion. At the end of November 2002, overseas investments in China reached US$48 billion from US$41 billion in 2000 (Goh 2002). Concurrently, the inflow to ASEAN members such as Singapore, Malaysia, Thailand, Indonesia, and the Philippines fell from US$27 billion in 1997 to US$11.4 billion in 2001. The US-ASEAN Business Council had commented that in the early 1990s, 75 per cent of FDI from the United States meant for East Asia invariably went to the ASEAN countries. This trend has changed, with ASEAN economies deriving only 10 per cent of FDI from the United States; most of the FDI is now flowing into China (Lam 2003). China's exports will also compete with ASEAN exports in third country markets (Shafaeddin 2004, p. 112).

Moreover, there was some unease that China would exert force to promote its national interests. For example, the Declaration on the Conduct of Parties in the South China Sea aimed at finding a peaceful resolution to the Spratly island dispute was changed to a political declaration that was not legally binding because ASEAN did not manage to persuade Beijing to sign onto the binding code of conduct. China and ASEAN also launched a China-ASEAN Cooperation Fund and a Business Council. With the China-ASEAN FTA, ASEAN members hoped that China would further liberalize its market and take in more manufactured and semi-manufactured goods from the region in order to ease the impending trade deficit with them (*Philippine Daily Inquirer*, 2005).

To curb China's growing influence, India and selected ASEAN countries began holding joint military exercises. China does not welcome the ASEAN move to interact with other major powers but the Indian navy has conducted joint exercises with the Singaporean, Vietnamese, Japanese, and South Korean navies to ensure the safety of strategic waterways in the region such as the Straits of Malacca. The Indian navy also alternated with their US counterparts to conduct naval patrols along the Straits of Malacca. Although from the ASEAN perspective, India was seen as a possible counterweight against China in the region, India has at least publicly avoided being drawn into this role. Nonetheless, when India exploded a nuclear device in 1998, then Indian Defence Minister George Fernandes said that India needed a nuclear deterrent not because of Pakistan's nuclear ambitions but for the long-term threat from China. Prime Minister Vajpayee also explained that the nuclear tests at Pokaran in May 1998 were due to the deteriorating security environment largely caused by activities from China and Pakistan (Garver 2003, p. 120). Vajpayee had explicitly stated that China was India's principal enemy (Dettman 2001, p. 187).

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India was also concerned that China has persisted in transferring nuclear and missile technology to Pakistan even after China joined the Nuclear Non-Proliferation Treaty (NPT) in 1992 and agreed to abide by several Missile Technology Control Regime (MTCR) norms (Nayar and Paul 2003, pp. 227–28).

Free Trade Agreement (FTA)

As the ASEAN economies recovered from the Asian financial crisis, they looked towards India and China as the emerging economic powerhouses of the Asian region (Hiscock 2002). China's initiatives to promote a Free Trade Agreement (FTA) with ASEAN by 2012 have put it ahead of another rival, Japan, which was a model for economic development in Southeast Asia. The launching of the ASEAN Free Trade Area (AFTA) in Singapore in 1992 and China's efforts to have a free trade agreement with ASEAN by 2012 merely added to India's worries (Green 1994, p. 119). To counter China's economic initiatives in ASEAN, India hosted the first India-ASEAN Business Summit in the Indian cities of New Delhi and Hyderabad in October 2002 (Chandrashekhar 2002). India believed in the potential to enhance technological cooperation, especially in the information technology (IT) sector with the ASEAN member states (Baruah 2001d). India's growing capabilities and reputation as an outsourcing destination for business processing outsourcing (BPOs) should also attract the interest of ASEAN countries and foreign companies.

Cooperation between ASEAN and India has increased significantly and India has cordial relations with several ASEAN members such as Malaysia, Singapore, Thailand, and the Philippines (Gujral 2003, p. 194). Two of ASEAN's largest trade partners with India, Malaysia, together with Singapore, accounted for over 60 per cent of total trade between India and ASEAN. Then Finance Minister Yashwant Sinha was concerned that India's trade ties with ASEAN were centred on a narrow range of commodities in only a few economic sectors. The first ASEAN-India summit was held in Cambodia in November 2002. However, Malaysia signalled a change in position at the 5th ASEAN-India Senior Officials Meeting (SOM) in New Delhi in May 2003. Malaysia as co-chair of the meeting mentioned the ongoing work on India and ASEAN trade linkages moving towards a Framework Agreement on Economic Cooperation. The idea was discussed further, at the Second India-ASEAN Summit in Bali, Indonesia in October 2003 (*ASEAN Press Release*, 20 May 2003).

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India is keen to eliminate tariffs for the ASEAN-6 on a *quid pro quo*[3] basis but the newer ASEAN members, that is, the CLMV states will have until 2016 to establish FTAs with India (Nataraj and Sahoo 2004). India's import duties and sectoral FDI caps in telecommunications and aviation are also impeding investments from the ASEAN region (ibid.). Malaysia is the tenth largest investor in India, having completed 21 projects worth an estimated US$830 million and undertaking another 26 projects worth approximately US$1.2 billion. In contrast, as of December 2004, India has invested in 144 projects worth approximately US$420 million in Malaysia, mainly in the manufacturing sector (Modi 2004). The main areas of focus for Malaysian investments are in infrastructure projects. Table 2 illustrates the amount of bilateral trade between India and Malaysia. The balance of trade has been in Malaysia's favour, especially since the late 1990s.

Table 2
Total Bilateral Trade from Malaysia to India, 1992–2004 (RM Billion)

Year	*Total Exports*	*Total Imports*	*Total Trade*	*Balance of Trade*
1992	1.09	0.90	2.00	0.19
1993	0.54	1.02	1.56	–0.48
1994	1.38	1.08	2.46	0.30
1995	2.08	1.38	3.46	0.71
1996	3.03	1.85	4.88	1.18
1997	3.31	2.14	5.44	1.17
1998	6.77	1.82	8.59	4.95
1999	7.74	2.01	9.75	5.73
2000	7.31	2.75	10.06	4.56
2001	5.99	2.93	8.93	3.06
2002	6.69	2.44	9.14	4.25
2003	9.64	2.55	12.19	7.09
2004	11.41	4.90	16.31	6.51

SOURCE: Matrade (Malaysia External Trade Development Corporation). http://www.matrade.gov.my/economy-trade/bilateral-archive/india.htm.

Political Exchanges

In order to facilitate more trade between India and Malaysia, both governments need to play a more active role, and become familiar with one another's business and political cultures. The exchange of official visits would help political and business leaders from each country to

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Table 3
Indian Ministerial Visits to Malaysia, 2002–2005

Year	*Designation*
Jan./Feb. 2002	Indian Minister of Shipping, V.P. Goyal
October 2002	Chief Minister of Andhra Pradesh, Chandrababu Naidu
July 2002	Chief Minister of Chattisgargh, Ajit Jogi
September 2002	Foreign Minister Yashwant Sinha
December 2002	Chief Minister of Jharkhand, Babulal Marandi
February 2003	Foreign Minister Yashwant Sinha
October 2003	MOS for Science and Technology Bachi Singh Rawat
Nov./Dec. 2003	Minister for Textile Shahnawaz Hussain
Nov./Dec. 2003	MOS for Information and Broadcasting Ravi Shankar Prasad
Nov./Dec. 2003	Minister of State for Commerce and Industry Satya Brata Mookherjee
February 2004	Minister of Shipping Shatrughan Sinha
September 2004	Minister of Power P.M. Sayeed and Minister of State for Overseas Indian Affairs, Jagdish Tytler
October 2004	Minister of Water Resources and President of All Indian Football Federation, P.R. Dasmunsi
November 2004	Minister of Commerce and Industry Kamal Nath
December 2004	Minister of Water Resources and President of All Indian Football Federation, P.R. Dasmunsi
January 2005	Minister of Commerce and Industry Kamal Nath
January 2005	Minister for Communication and Information Technology, Dayanidhi Maran

SOURCE: Indian High Commission in Malaysia, "India-Malaysia Relations, Indian", http://www.indiahighcommission.com.my/relations.html.

be acquainted with one another. Table 3 shows Indian ministerial visits to Malaysia from 2002 to 2005. It is interesting to note that Indian federal ministers as well as chief ministers of particular states are visiting Malaysia. This will enable Malaysian officials and business leaders to familiarize themselves with the Indian government at the centre and at the state level.

Table 4 below shows the visits of Malaysian Ministers to India. The two tables show that Indian ministerial visits to Malaysia have been more regular than Malaysian ministerial visitation to India. However, these political exchanges have to be translated into more trade between both countries. During the visit of Malaysian Prime Minister Abdullah Badawi to India in November 2004, he described the

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Table 4
Malaysian Ministerial Visits to India, 2002–2004

Year	*Designation*
2002 — several times	Minister of Works, S. Samy Vellu
May 2002	Minister of Transport Ling Liong Sik
August 2002	Minister of Education, Musa bin Mohamad
September 2002	Chief Minister of Perak, Tajol Ghazali
October 2002	Chief Minister of Malacca, Ali Rustam Mohd. Ali
2003 — several times	Minister of Works, S. Samy Vellu
March and Sep. 2003	Minister for Entrepreneur Development, Nazri Abdul Aziz
September 2003	Minister of Works, S. Samy Vellu
2004 — several times	Minister of Works, S. Samy Vellu also accompanied PM Badawi in December 2004
2004 December	Foreign Minister Syed Hamid Albar accompanied PM Badawi
2004 December	Minister of Energy, Water and Communication, Lim Keng Yaik, Minister for Hifher Education, Shafie Mohd Salleh, Minister in Prime Ministerís Department, Nazri Abdul Aziz — all three accompanied PM Badawi

SOURCE: Indian High Commission in Malaysia, "India-Malaysia Relations, Indian", http://www.indiahighcommission.com.my/relations.html.

volume of Indo-Malaysian trade as inadequate (*Statesman*, 2004). Malaysia's trade with India remained at a paltry level and confined to a narrow band of commodities (*New Straits Times*, 22 December 2004). Malaysia exported crude petroleum and palm oil to India and in return imported cereals, vegetables, and fruits from India.

Palm Oil

Malaysia is the world's largest producer and exporter of palm oil while India is the world's largest importer of palm oil. Annually, India produces six to seven million tons of edible oils, but it has a demand of around 12 million tons. The major oilseeds grown in India include mustard, groundnut, and, lately, soybean (*Business Times*, 3 August 2001). To meet this shortfall in demand, Malaysia exports on an annual basis over two million tons of palm oil to India. Palm oil has become a politicized issue in India and Malaysia. In 2000, the price of coconut oil in India had declined to US$7 per kilogramme from a high of US$15 per kilogramme, yet it was still higher than the palm oil price of US$5 per

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kilogramme. The slump in coconut prices has infuriated farmers in India, especially those in the southern state of Kerala. In December 2000, while on a visit to Kerala, Prime Minister Vajpayee assured a delegation of farmers that he would raise the import duty of palm oil to protect the domestic coconut market (*Kuwait Times*, 6 June 2001). India also took the position that as bound by the World Trade Organization (WTO) customs duty of no higher than 300 per cent, its duty of 65 per cent on crude palm oil and 85 per cent on basic refined palmolein was substantially below the tariffs it was able to impose. The Indian authorities' argument was for palm oil to compete with soybean and other oils to increase its market share in India (Chandrashekhar 2002).

However, because of its commitments to the WTO, India kept its import duty on soya oil (palm oil's main export competitor) at 45 per cent. The Malaysian government argued that this placed palm oil at a severe disadvantage to soya oil but India replied that it was protecting its own edible oil producers from cheap imports and that the advantage gained by soya oil was because of WTO commitments. Prime Minister Vajpayee explained, "Just as Malaysia has to protect its Malaysian palm oil plantations over falling prices, we have to take care of the interests of our farmers who have experienced similar difficulties". However, before embarking on his visit to Malaysia in May 2001 and in a bid to strengthen ties with ASEAN and Malaysia in particular, Prime Minister Vajpayee said, "Guided by the considerations of strengthening solidarity with our ASEAN friends, we have now decided to review the import duty on palm crude". Prime Minister Vajpayee said that India has a shortfall in its production of edible oils relative to demand. It is expected that the demand for edible palm oil from Malaysia would increase with the rise in India's population and income.

The Malaysian Palm Oil Promotion Council had instituted a new approach in the export and marketing of palm oil by establishing six regional marketing committees, which also covers South Asia. Malaysian Primary Industries Minister Lim Keng Yaik had mentioned that with regard to South Asia, India had instituted a differential duty structure that charges a higher customs duty for certain types of refined oil which affected Malaysia (refined palmolein). This made imported palm oil from Malaysia more expensive than imported oils from alternative sources. Malaysia has periodically requested India to lower its tax duty for imported palm oil in order to make it more competitive against other edible oils (*Business Line*, 2005).

From the Indian perspective, the issue was more complicated than merely reducing the duty on imported palm oil. Besides Malaysia, India also imported palm oil from Indonesia, the second largest

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producer in the world (Sharma 2003). By India reducing tariffs and import duty on palm oil, this would also benefit Indonesian instead of only Malaysian exports of palm oil to India (*Business Line*, 21 October 2002). India would also like Malaysian and Indonesian companies to support through foreign direct investments (FDIs) and technological collaboration, India's indigenous efforts in cultivating palm oil (*Star*, 2002). However, Malaysia was not keen to cooperate on India's oil palm plantation venture in the mid-1990s. In contrast, from the Malaysian perspective, the gain in bilateral trade by Malaysia largely as a result of palm oil exports does not imply that Malaysia is the sole beneficiary from trade in palm oil. Other workers in the Indian palm oil sector such as traders, retailers dealing in palm oil and other businesses in transportation, bulking, and finance have also benefited from palm oil imports. The taxation derived from palm oil would also contribute to the revenue of the Indian government.

Prime Minister Vajpayee also mentioned that the Indian government would review its import duties on palm oil, possibly paving the way for a reduction (*Star*, 15 May 2001). During a speech at the Malaysia-India Forum, Vajpayee said, "Guided by the considerations of strengthening solidarity with our ASEAN friends, we have now decided to review the import duty on palm crude". Vajpayee added, "We shall do so in a way which would safeguard the interest of our farmers and yet facilitate import of Malaysia's palm crude from our underutilised refineries". Malaysian Primary Industries Minister Lim Keng Yaik welcomed Vajpayee's comments, but urged the Indian government to go further and include processed palm oil in its review. Malaysian Foreign Minister, Syed Hamid Albar said that the Indian government had promised to examine the issue positively (*Business Times*, 16 May 2001).

Surprisingly, the expected reduction of palm oil tariffs was not announced by the Indian government because of the pressure by Malaysia on India to reduce the tariffs and remarks made by Prime Minister Mahathir at the official banquet for Prime Minister Vajpayee (Baruah 2001b). Prime Minister Mahathir in his banquet speech (given in honour of Prime Minister Vajpayee), referred to the resistance to palm oil imports by Indian coconut producers and anti–palm oil campaigns. Prime Minister Mahathir also pointed to the high tariffs imposed on palm oil compared with other edible oils. He said, "It will also be defeating and retrogressive if better and cheaper goods produced by developing countries should become less accessible and more expensive to the ordinary people due to increasing tariffs". The inability of the Indian delegation to reach a compromise with their Malaysian

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counterparts on the palm oil issue was probably due to the divided agendas of the Indian delegation. It was reported that the business delegation accompanying Prime Minister Vajpayee was led by two separate business associations, the Confederation of Indian Industries (CII) and the Federation of Indian Chambers of Commerce and Industry (FICCI). The FICCI delegation had no representative from the edible oil industry while the CII delegation has a sole representative in DP Khandelia, managing director of a private company, Khandelia Oil and General Mills Private Limited.

Competition from rival soyabean oil producers had made steady inroads in the palm oil market in India (*Business Line*, 21 September 2005). Soyabean oil producers also have an unfair advantage because of differential customs duty. The Indian authorities now levy a customs duty of 80 per cent for palm oil but only 45 per cent for soyabean oil (*Business Line*, 12 August 2005). Palm oil prices that reached a peak of US$700 per ton in late 1998 has steadily declined since early 1999 to US$260 per ton. However, palm oil prices had risen to over US$300 per ton at the end of 2004 but this was predicted to decline again because of increase in production and bulging inventories over the 2004–2005 period (*Daily Times*, 26 September 2005). In reaction to India's increase in customs duty on palm oil to protect its own oilseed and coconut producers, Malaysia, Indonesia, and Thailand are banding together to strengthen their bargaining power over palm oil (*Business Line*, 2005).

Potential Areas for Collaboration

In May 2001, Prime Minister Vajpayee of India visited Malaysia, accompanied by India's top 75 leading industrialists (Krishnamoorthy and Elias 2001). During Prime Minister Vajpayee's visit to Malaysia, as many as 15 MOUs were signed between the two countries. This established the contemporary foundation for a more focused and structured trade and investment linkage between the two countries (Baruah 2001c). In this context, the CII opened an office in Kuala Lumpur to promote and facilitate business collaboration and joint ventures between Indian and Malaysian companies (*Star*, 15 May 2001). The political scene has changed as well with both Malaysia and India having new prime ministers. India's new Prime Minister Manmohan Singh of the Congress-led ruling coalition is the architect of India's economic reforms and liberalization when he was appointed Finance Minister in 1991 (*BBC News*, 22 May 2004).

When Malaysian Prime Minister Abdullah Badawi visited India in November 2004, Indian and Malaysian companies signed a further 12

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Table 5
Top Malaysian Investing Companies in India

1.	M/s Unisphere Sdn. Bhd.
2.	Usaha Tegas Sdn. Bhd.
3.	Pembinaan Redzal Sdn. Bhd.
4.	Genting Power Holding Ltd.
5.	M/s Telecom Malaysia Bhd.
6.	Autoways Construction Sdn. Bhd.
7.	TNEG Group
8.	Berjaya Group
9.	Teneja BK (M) Sdn. Bhd.

SOURCE: *CII News*, 2005.

MOUs in various economic sectors (*Statesman*, 2004). However, it should be emphasized that the MOUs are not binding contractual agreements and would need the support of both the private and public sectors for the projects to be implemented successfully. The top investing Malaysian companies in India are shown in Table 5. Nonetheless, Prime Minister Badawi emphasized that bilateral economic links should be broadened into services sectors and Malaysian companies have been increasingly involved in infrastructure projects in India.

Infrastructure

India has invited Malaysian companies to participate more actively in India's infrastructure development such as its National Highway Development Project (Vajpayee 2001). Besides road building, Vajpayee also talked about the energy sector, and seaport and airport development as potential areas of further collaboration with Malaysia. To expand opportunities for trade and investment, then Malaysian Prime Minister Mahathir visited India in October 2002. His itinerary included Hyderabad, or "Cyberabad", the state capital of Andhra Pradesh, which is famous for high-tech industry, and visits to infrastructure projects undertaken by Malaysian companies (Press Release of Ministry of External Affairs of India, 16–18 October 2002). Involvement in infrastructure projects in ASEAN also aided India in countering the influence of China in this sector. During Prime Minister Vajpayee's visit to Malaysia in May 2001, India also signed several agreements related to the expansion and improvement of roads in India and railway lines in northern Malaysia. Indian Railways operates the third largest

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rail network in the world and employs over a million people. An agreement between IRCON International of India and the Malaysian Transport Ministry was signed for the construction of a US$1.8 billion railway line in Malaysia (Baruah 2001b). The agreement was unique in the sense that it enabled Malaysia to swap its largest export, which is palm oil, for the construction of an electrified double-track railway line by Ircon International (*Business Times* [Malaysia], 2001). However, it is in the area of road construction that India and Malaysian collaboration has produced the most results. India has one of the world's largest road networks, at 3.2 million kilometres, of which only 58,000 kilometres are national highways (Choudhury 2003).

Malaysian knowledge and expertise accumulated in the construction of its own highways as well as the experience and capital that it possessed proved invaluable when bidding for road projects in India. Malaysia's grand Kuala Lumpur International Airport (KLIA) and mega structures such as the Petronas Twin Tower in Kuala Lumpur have impressed India on the rising technical know-how of its Southeast Asian trade partner. Prominent Malaysian construction and engineering firm Renong Berhad, has already established a presence in India. The energy sector has also seen significant collaboration between India and Malaysia. India's largest oil company, Indianoil Corporation Limited, and Malaysia's national petroleum company, Petroliam Nasional Berhad (Petronas), has signed an MOU to collaborate and jointly explore potential hydrocarbon reserves in India, Malaysia, and other Southeast Asian countries (Krishnamoorthy 2000). In relation to Malaysian oil exports to India, the same MOU also agreed on a supply of 1.5 million tones of crude oil valued at US$300 million to be exported to India. Besides exports, Indianoil and Petronas have also established an equal partnership to develop a liquefied petroleum gas (LGP) import facility at the port of Haldia in Eastern India, close to the city of Calcutta (Krishnamoorthy 2000). Both countries had agreed to invest on an equal stake basis in the RM240 million projects. As the largest oil company with a 55 per cent market share in India, Indianoil knows the huge demand potential for the LPG plant to supply cooking gas to Indian consumers. According to Indian Oil Petronas Limited chief executive officer, C.K. Dixit, the demand for cooking gas in 2000 was over 4.3 million customers in the eastern regions of West Bengal, Bihar, Orissa, and Eastern Uttar Pradesh (Hong 2001).

The CII of India and the Construction Industry Development Board (CIDB) of Malaysia had also signed an MOU to strengthen partnerships between Malaysia and India in the construction sector (*CII News*, 8 January 2004). For example, India's GMR Infrastructure Ltd. and

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Table 6
Malaysian Construction Companies Doing Projects in India

1.	JM Corporation Bhd.
2	Road Builder (M) Holdings Bhd.
3	Bumi Highway Bhd.
4	United Engineers (M) Bhd.
5	Bina Puri Holding Bhd.
6	Berjaya Bhd., Gamuda Bhd.
7	Sunway Construction Bhd.
8	Mudujaya Corporation Bhd.
9.	Dolomite Bhd.

SOURCE: *CII News*, 2004.

the Malaysian Airport Holdings Berhad (MAHB) are engaged in the construction of an international airport at Shamshabad in Andhra Pradesh state (*CII News*, 29 July 2005). The Greenfield project (built from scratch) has GMR group as the majority shareholder with a 63 per cent equity, MAHB with 11 per cent and the state government together with the Airport Authority of India (AAI) with 26 per cent. The airport is scheduled for completion and operation by March 2008. Table 6 shows other Malaysian construction companies involved in construction projects in India.

While the airport, road, and railway sectors appear to have manifested positive signs of mutual collaboration, the ports and telecommunications sectors have not experienced similar success. India has one of the world's longest coastlines of around 6,000 kilometres and 90 per cent of its imports and exports are transported by sea but most of its ports have to be upgraded to handle modern shipping needs like containerization. Malaysia's own experience in developing its ports was presumed to have given it an advantage over its competitors to modernize and upgrade Indian ports. Moreover, with regard to shipping needs, it was reported that Malaysia's International Shipping Corporation (MISC), which is owned by Petronas, is looking for opportunities to expand its business beyond the Southeast Asian region. However, MISC has dropped plans to buy 51 per cent of India's biggest shipping line, the Shipping Corporation of India (Deutsche Presse-Agenteur 10 July 2002). According to MISC Chairman, Mohd Hassan Marican, "we have decided not to pursue the proposed investment in India because we consider it is not something that fits with our overall plan". During Malaysian PM Abdullah Badawi's visit to India at the end

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of 2004, he commented that "Malaysia is keen to significantly upgrade its economic relationship with India ... to help strengthen India's infrastructure" (*Daily Times*, 13 September 2004).

Information and Communications Technology (ICT)

The process of liberalization in the Indian telecommunications sector started in 1994 with the opening of 21 areas of telecoms subscribers labelled as circles to private and foreign investors. These circles categorized as A, B, and C are defined in terms of profitability, with A being the most profitable. The bidding rules for these various telecom circles are pegged at operators with 500,000 lines or three years' experience in operating a cell network of 100,000 lines, which effectively ruled out most Indian operators (Nicholson 1995). The guidelines also limited foreign investors to 49 per cent equity in any bidding company but this had not dampened the interest from a score of international market leaders. These leading companies included Fujitsu, AT&T, Sprint, Motorola, Bell, British Telecom, Alcatel, and others.

By the end of 2000, the Indian government had ended its monopoly on domestic long-distance calls and liberalized cellular licences in a bid to attract private and foreign investments to improve its overall infrastructure. According to the joint managing director of Bharti Enterprises, Rajan Mittal (one of India's main telecoms players), "the changes have been not only dramatic but in earnest" (Slater 2000). Throughout India, basic telephone services are administered by three government-owned entities which fulfil different roles. Mahanagar telephone Nigam Limited (MTNL) administers the telecom circles in New Delhi and Mumbai, while the Department of Telecommunications (DOT) manages the other parts of India and Videsh Sanchar Nigam Limited (VSNL) administers all international telecoms services. In a further move towards corporatization the DOT created another government-owned company called Bharat Sanchar Nigam Limited (BSNL). The purpose of BSNL is to facilitate the infusion of additional capital required to expand the base of telephone subscribers especially in the rural areas (Purkayastha 2002).

In April 2002, India took a further step in deregulating its telecoms sector by ending the state's monopoly on international telephone calls by privatizing the service. In this sector, VSNL the former monopolist state company, will be joined by other private companies (*Far Eastern Economic Review*, 11 April 2002). With the privatization of VSNL, the Tata group has bought a strategic stake in VSNL, which had transformed itself into a private firm to meet new competitors. The Indian

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government has transformed MTNL and BSNL to face competition in the metropolitan areas of Delhi and Mumbai (Purkayastha 2002). MTNL has been able to improve the metropolitan system by replacing obsolete equipment and modernizing the switching and junction networks. To compete against private and foreign operators in its sector, MTNL has managed to diversify and provided value-added services to its customers. These included the Integrated Subscriber Digital Network (ISDN) to enable the subscriber to send and receive voice data, image, or a combination of these in digital form. In addition, another valued-added service is access to the Internet. In 2003 there were 14 million mobile phone subscribers. This rose to 45 million in 2004, overtaking fixed land lines at 44 million. At the end of September 2005, there are 60 million mobile phone subscribers and this is predicted to rise to 120 million by 2008.

The telecoms sector also offers potential joint venture opportunities and collaboration with ASEAN countries. Malaysia Telekom Berhad (state-owned company) has signed an agreement with India's VSNL to provide managed data network services (MDNS). The MDNS service will be beneficial for multinational corporations (MNCs) operating from Malaysia but with their base in India and vice versa (*Bernama*, 2001). The use of the English language in international business and politics and Malaysia's stable and consistent policies are attractive factors to woo foreign investments (ibid.). However, some private companies still believe that the standard of telecommunications infrastructure in terms of the quality of telephone lines coverage and limited broadband despite the Multimedia Super Corridor (MSC) will deter some foreign investors (Ruhanie 2002).

The establishment of the MSC in 1996 had received the backing of then Prime Minister Mahathir when industrial planners became convinced that a lack of diversification into IT from industrial development would have serious consequences for Malaysia's economic development (Thomas 2001). In comparison with China, India, and the Philippines, Malaysia came last in the pecking order for preferences to establish a software development business. This is largely due to its shortage of skilled IT workers but this is offset by Malaysia's political stability, location, and quality of human resources (Ruhanie 2002).

The MSC is an IT corridor built on 50 square kilometres of land that stretches from the Petronas Twin Tower in the heart of Kuala Lumpur towards Putrajaya, the new city planned as Malaysia's federal capital. Cyberjaya is also included in the MSC and will house hi-tech multi-media companies and a technology hub. When completed in three phases, MSC was expected to cost around US$20 billion and its

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primary objective was to attract IT companies to Malaysia (Thomas 2001). During the Asian financial crisis of 1997, Malaysia had opted to peg the value of its currency to prevent its devaluation and this had partially eroded investor confidence in the country. The imposition of capital control and publicity about Malaysia being the land of crony capitalism did the country some harm in the late 1990s. But the effect was transitory and by the end of 2001, Malaysia was again favoured by foreign investors (Balfour 2002). The IT sector is of particular concern to the Malaysian government because of the catalytic role that it is assumed to play to accelerate Malaysia's development (*New Straits Times*, 1998).

Bilateral IT links between India and Malaysia could prove beneficial to the region. Then Malaysian High Commissioner to India, S.K. Choo, also remarked that with the MSC, Malaysia could be India's "Cyber Gateway to Asia" (Bernama 2001). Besides its infrastructure, Malaysia has an ethnic Indian population comprising one-eighth of its total population and some of them still maintain ties with their extended family and friends in India (ibid.). The president of the Indo-Malaysian Chamber of Commerce (IMCC) commented that more than 4,000 Indian software professionals had migrated to Malaysia between 1999 and 2001 (Agence France-Presse 2002). In this regard, the IMCC has been launched in the city of Madras in the southern Indian state of Tamil Nadu. The southern Indian state of Karnataka, better known as the Silicon State of India, has also become a prime focus of IT cooperation with Malaysia (Rajoo 2002).

Malaysia's economic collaboration with India revolves around its southern strategy to engage economically the southern state in India due to historical and social cultural linkages. The southern strategy is supported by Malaysia's private sector. For example, TMI-Nusantara Consultants, a Malaysian project consultancy and management company, is considering a US$100 million investment in the Southern Indian State of Andhra Pradesh (Bernama 2001). The proposed investment projects range from hospitality to infrastructure in the state capital of Hyderabad. Hyderabad has become a favoured investment destination for Malaysian companies. When then Malaysian Prime Minister Mahathir visited India in October 2002, as part of his Indian strategy, the visit coincided with Satyam's opening of its Global Solutions Cenre (GSC) in Malaysia in April 2003. Malaysia's new Prime Minister Abdullah Badawi has similar ideas about strengthening links with India's IT sector (Suryanarayana 2005).

Although the inflow of skilled Indian IT workers have benefited Malaysian companies, especially those in the MSC, there appears to be

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growing resentment from local IT workers about their presence (*Asia Times*, 13 March 2003). Malaysian IT companies based on wages would prefer to hire junior Indian IT workers as they will be paid RM1,500 per month compared with a Malaysian IT graduate at RM1,800 per month (*Straits Times*, 14 March 2003). The tension that this caused had resulted in the round-up of 270 mostly Indian IT workers by the Malaysian police in an operation targeted at illegal workers. The 270 Indian IT workers were arrested from their apartments at Palm Court condominium in Brickfield district and brought to a neighbouring police station (*Asia Times*, 13 March 2003). With the intervention of the Indian High Commission and proof that they had valid visas, 164 of those arrested were released (*Economic Times*, 10 March 2003).

The Indian government was reportedly preparing a range of retaliatory action against the alleged ill treatment of its IT workers. These measures included a review of bilateral civil aviation treaty signed several years ago and a rethink on the extra concessions given to Malaysian palm oil imports into India (Raghunathan and Ahmad 2003). Abdullah Badawi who was then the Acting Prime Minister played a key role in defusing the political crisis by apologizing over the incident to the High Commissioner of India in Malaysia, Mrs Veena Sikri. The MSC has written to NASSCOM to comment on the incident as an aberration with regard to India-Malaysia IT linkages. During his visit to India, PM Badawi also emphasized that the MSC in Malaysia had 1,100 companies, of which 45 were promoted by Indians (*Financial Express*, 2004). Acknowledging the importance of Indian IT professionals to Malaysia, PM Badawi stressed that "We welcome them very heartily, ... and I give you my word that we will treat them well", referring to the incidents at Palm Court condominium (ibid.).

India-Malaysia FTA

In early 2005, bilateral trade between India and Malaysia stood at US$3.5 billion but India's Union Minister of Commerce and Industry Kamal Nath has targeted US$10 billion in bilateral trade by 2008. In order to enhance bilateral trade, both countries have established a joint study group (JSG) to explore the feasibility of a comprehensive economic cooperation agreement (CECA) (Sen 2005). The JSG is co-chaired by the Commerce Secretary of India, SN Menon, and the Secretary General of the Malaysian Ministry of Trade and Industry Datuk Sidek Hassan (ibid.).

Both India and Malaysia had consulted various industries to decide which sector could be included in the list of items for

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negotiations on the FTA. Should the JSG find the CECA feasible, both governments will start work on an appropriate negotiation framework. The study would also work on the modalities for investment cooperation and whether an early harvest scheme should be implemented. An agreement on CECA would fast-track bilateral economic and commercial cooperation between India and Malaysia. India and Malaysia would also renegotiate their tax treaty to enable the recovery of taxes from defaulting foreign companies that have assets outside their home countries (*Asia Times*, 24 December 2004).

Conclusion

India's motivation to enhance linkages with ASEAN was influenced by strategic and economic concerns. Trade diversification away from the EU and the United States will provide India with more insulation should these economies experience slow economic growth and prevent India from being marginalized by trade blocs. Strengthening ties with the ASEAN region is likely to increase India's economic security and enable India to compete with China. However, the Look East policy has been affected by both domestic and external factors but is still relevant especially after security has been added in for Phase Two. Indo-Malaysia ties are influenced by both economic and non-economic factors. With the need to foster an Islamic identity, Malaysia's role in the OIC and its friendship with Pakistan does influence its relations with India. For example, Malaysia had endorsed Pakistan's representation in regional forums such as the ARF. The OIC and Islamic network affords Malaysia both international visibility, capability to drive its multi-polar foreign policy and reinforcement of its Islamic identity to mitigate PAS' influence among ethnic Malay Muslim voters. However, Malaysian ties with Pakistan and the OIC did not seem to greatly influence its trade relations with India. While Islam is a major factor in Malaysian politics, votes from the ethnic Indian community are also important, and cultivating ties with India enhances the government's appeal to ethnic Indian voters.

Problems with palm oil issue will continue to plague bilateral relations because of its importance as a main revenue earner for Malaysia and how domestic Indian politics are connected to this issue. To lessen the impact of palm oil issues on both economies, the strategy of expansion and diversification of economic interaction is useful. Broadening trade ties beyond a small band of agricultural products suggests that more collaboration could develop in services and infrastructure development. While the infrastructure sector holds

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promise for Malaysian companies in India, they also need to be expanded to new sectors such as airport, seaport, and telecommunications development apart from road construction.

The Malaysian government is also trying to attract Indian companies to invest in Malaysia. Indian IT companies and professionals are interested in establishing operations and working in the MSC but the mistreatment of their fellow workers by the Malaysian authorities have dampened their enthusiasm. Newly installed Prime Ministers Abdullah Badawi and Manmohan Singh would like to increase economic ties. At the regional level for ASEAN, India does provide an alternative market and strategic partner to ASEAN. It is also in India's interest to enhance its trade and security linkages to ASEAN because it provided a means for India to move beyond the SAARC region and compete with China in the latter's own backyard.

NOTES

1 The term "globalization" here is defined as the process of transition towards a global community with common norms and institutional framework to facilitate international cooperation. The progress towards the free flow of people, capital, technology, and information is often impeded as growing interdependence tends to trigger protective nationalist sentiments which are manifested in the form of tariff and non-tariff barriers.

2 The process of Regionalism is demonstrated through institutionalized cooperation among groups of states to give mutual trade benefits that may or may not extend to third parties (Barry and Keith 1999). Regions are also seen an evolving phenomenon forming part of the momentum of globalization but also occurs in parallel to globalization as it reacts and modifies the process of globalization. This sets the term apart from more common usage for the term "region", which are territorially based subsystems of the international system. The variety and degree in which a regional subsystem constitutes a coherent unit also varies. The use of the term regionalism here refers to the process of global transformation (Hettne, Inotai, and Sunkel 1999).

3 A Latin phrase that translates into "something for something". This term is used in financial circles generally to describe the mutual agreement between two parties in which each party provides a good or service in return for a good or service.

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Contemporary Southeast Asia 27, no. 3 (2005): 499–523 ISSN 0219-797X

Cultural Commodities and Regionalization in East Asia

NISSIM KADOSH OTMAZGIN

In order to characterize and explain regional formation processes, theories in the field of international relations have focused primarily on political and economic parameters that were drawn from experiences in Western Europe. In East Asia, however, it is often mentioned that "regional dynamism" and cross-border economic activities, rather than formal agreements between governments, or shared historical or cultural "Asian" background generates the formation of the region. This article, however, examines the role popular culture plays in shaping and regionalizing East Asia. It focuses on the process by which confluences of culture have diffused throughout East Asian markets in the decades surrounding the 1990s and the concurrent formation of regional media alliances. An attempt is made to go beyond state-centric explanations of regionalization and extend the cultural approach to regionalization, demonstrating how popular culture can affect regional formation.

Introduction

Regional formation ideas and theories have existed before and throughout the twentieth century.[1] However, it was only after the end of the Cold War and the collapse of its bipolarized world system that ideas of regional formation came to be espoused in many parts of the world (Mansfield and Milner 1999). The rise of regionalism in world politics has undergone further reappraisal in an area of globalization, both as a

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response and a challenge (Mittelman 1996; Hettne et al. 1999). Manifestations of this phenomenon are pronounced in the progress that the European Union has achieved, as well as in other ongoing regional formation attempts, such as in North America (*NAFTA*), South America (*Mercosur*), Africa (*AU*), Asia (*ASEAN, EAEC*), and the Asia-Pacific (*APEC*).

Throughout most of the twentieth century Asia was a relatively divided continent. In terms of regional formation, the term "Asia" itself was not much more than a matter of nomenclature, which merely indicated the continent's geographic location. Previous attempts to promote solidarity among Asians did take place,[2] but those seemed to have been futile or stagnant, at best. However, in the last two decades areas within Asia are increasingly being "pushed" towards each other. A new international manoeuvring away from the American and Soviet Union dominated Cold War era politics, together with the ever-evolving political and economic integrating forces, provided the right incentives for this region's governments and markets to come closer together. In addition, ideas and ambitious possibilities regarding the emergence of some sort of "Asian region" and sub-regions in Asia have been repeatedly mentioned and discussed.[3] During the period following the financial crisis of 1997–98, the necessity of cooperating in order to maintain political-economic stability was further realized. At the beginning of the twenty-first century, "Asia" and sub-regions within Asia have become more closely integrated within the last half century than ever before. This continues despite an obvious lack of formal regional institutionalization and an emphasis on the informal, negotiated, and inclusive approach in regional policy.[4] Regions in Asia might even now possess a few common, regionally shared characteristics.

In the field of culture, East Asia of the last two decades has experienced a renaissance rooted in the growth of its economies and booming consumerism, and manifested in massive new cultural innovation, production, dissemination, and consumption. In East Asia, as in other parts of the world, American popular culture continues to loom over the markets, reaching those who are able to pay the price. Local and regional cultural confluences have, however, developed and intensified, substantially decentralizing the world's cultural structure and refuting the notion that East Asia's cultural scene should be contagiously American. In this process of development, entrepreneurs, companies, and promoters in East Asia have collaborated to form alliances that endorse the emergence of a regional market for culture, facilitate transnational bypasses to connect individuals and

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communities, and provide cultural content to the imagery of a region.

The aim of this study is to examine cultural aspects of regionalization in Asia. The paper focuses on the confluences of popular culture in East Asia in the period surrounding the last two decades, analysing both the possibilities and the limits of regional formation that derives from the transnational commodification of culture. It argues that the confluences of popular culture and the activities of the newly emerging transnational media alliances propagate regionalization by facilitating a collaborative and integrative market for culture, and by providing platforms to enable the possible emergence of commonalities of identities and conceptions.

The first part of the paper briefly discusses and critiques the theories of regionalization and regional formation. It is suggested that these theories largely overlook cultural aspects of regionalization and are incomplete in conceptualizing related processes in East Asia. The second part then sets a new framework for the paper, highlighting the conspicuous characters of East Asia's regionalization. The final three parts are discussions arguing for an alternative view of regionalization in East Asia, based on the impact that popular culture, especially the media, generates.

The Study of Regional Formation in Asia

Theoretical literature in the field of international relations considers "regionalization" a technical term that describes the undirected process of regional organization and region-making in geopolitical domains greater than states. Regionalization is characterized by growing interdependence and increasing economic activities between markets and communities in a regional sphere. Political scientists further emphasizes that regionalization processes are mainly driven by market forces and actors from the private sector, rather than by governments.[5] This type of regionalization, arising from an interaction of growing economies in proximity, can be characterized as "market-led". It is stimulated and accelerated by the interaction of both market and non-market forces. A second type of regionalization can be characterized as "institution-led" and involves discriminatory formal and institutional arrangements, such as among governments and corporations.

Realist, institutional, and cultural theoreticians have all emphasized different aspects of regional formation. Realist theories claim that states interact in an anarchic environment and much of their behaviour is determined by the possibility of conflict. Therefore,

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in order to defend themselves and determine common enemies, they tend to group into alliances. For various institutional theories, institutionalization and economic activity (preceding, following, or concurrent to one another) are the main propulsive forces of regionalization and regional formation. Accordingly, the European Union, for example, has evolved from attempts to generate trade between Western European countries after World War II, to today's European Union with its own institutions, currency, and its own economic and political agendas. The rise of "culture" as well has aided the study of regional formation, stressing the subjective sense of belonging and identity as powerful motives in forming regions, and emphasizing the role of shared cultural and historical narratives in this process. A vigorously publicized yet simplistic work is Samuel P. Huntington's pronouncement about the clash of civilizations. Regarding Asia, for example, he has simply generalized the cultures of Asia and categorized the region that encompasses a wide and diverse area between Japan and India (excluding both "Japanese" and "Hindu") as simply having a "Confucian" civilization.[6]

Constructivist theories, which are highly inclusive of various factors, are more useful in understanding regional formation in East Asia.[7] They acknowledge a wider range of possible vessels and factors that effect regionalization and regional formation and do not solely base their argument on any one factor at the expense of many other crucial ones. In today's diverse and dynamic East Asia, it seems inconceivable to narrowly base regional formation in formal government agreements, institutions, or macro-culture as sole factors, while ignoring a range of various dynamic socio-economic centred processes and developments, such as in the fields of consumption, technology, and ecology. Moreover, with a specifically applied regional understanding, constructive theories categorize various vessels and factors that are linked to regionalization and regional formation and usefully determine the balance between them, separating the important points from the insignificant points. That, too, is helpful in navigating among all the various political, economic, and social centred processes and developments in East Asia and evaluating their applied importance to the understanding of regionalization and regional formation.

In East Asia, there are those who argue for the formation of regions on the basis of identity. Proponents have leaned on Asian culture, values, or history in describing East Asians as going throughout processes that shape them as a collective. In many of these works the European Union is often mentioned as an example and a possible model.[8] The "Asian Values" discourse further presented an investigation into the

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imagery of "Asia" as a regional concept and stimulated the Asia-centred academic discourse (Kim 2004).

The search for Asian values, however, has been criticized as no more than an ideological gloss over political authoritarianism in East Asia's pseudo-democracies (Emmerson 2000). Even advocates acknowledge that the rise of a shared Asian consciousness and identity is a new creation and that a multitude of possible cultural references prevents "Asia" from being conceptualized as a completely homogeneous space. In the years following the Asian financial crisis of 1997, the project of constructing regional identity and an "Asian way" lost much of its lustre. Mahathir Mohamad is no longer in power in Malaysia, and Singapore has recently been pulling away from endorsing regional unity, engaging in discriminatory free-trade agreements with individual countries. Repeated economic, political, and cultural challenges, as well as East Asia's close interdependence and integration with the wider Asia-Pacific region, have brought the project of constructing an Asian identity to an obvious halt.

Another attempt to capture transnational spheres of influence is the soft power theory. The term "soft power" was coined by Joseph S. Nye, Jr., more than a decade ago to describe the growing importance of non-traditional ways, such as culture and values, a country can wield to influence another country's wants. Initially, it referred to America's ability to not only intimidate or persuade, but also to entice, attract, and fascinate other countries and societies by its mass culture and ideas. Japan, India, and China were later mentioned as noteworthy for their resources of soft power in Asia (Nye 1990; 2004, pp. 73–98).

Soft power, however, has limited salience in East Asia and in general. The effectiveness of soft power depends heavily on the acceptance of the receiving audience, and likewise is difficult to measure and to handle. Soft power may work in the production and distribution side, and indeed, there seems to be a lot of "power" in the ability of a country's culture to disperse across nation-state boundaries, even under restrictive conditions. The logic of consumption, however, is more complicated. The consumption of popular culture might encourage East Asians to develop a positive interest in imported cultures and ideas, originate from America, China, Japan, or India. Whether this is an affirmation for the construction of similarities of conceptions and identities remains to be proven. Soft power as a concept may not be able to fully capture the dynamics of how people in East Asia consume, appropriate, conceive and especially indigenize imported culture and norms. "Soft power" is an invigorating rhetorical phrase, yet with a very limited analytical usefulness.

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Contesting Conventional Understanding of East Asian Regionalization

Arjun Appadurai challenges the theoretical understanding of regional formation, justly arguing that "the large regions that dominate our current maps for area studies are not permanent geographical facts. ... Regions are best viewed as initial contexts for themes that generate variable geographies, rather than as fixed geographies marked by pre-given themes" (Appadurai 2000, p. 7). In this sense, academic interaction is as important to "hav[ing] elaborated interests and capabilities in constructing world pictures whose very interaction affects global processes" (ibid., p. 13). Here Appadurai conveys the idea of regional formation being a matter of attribute rather than framing. Although Appadurai does not clearly explain how regions should be encompassed and defined, his vision is far-reaching in the challenge he presents to the plethora of theoretical literature.

The study of regionalization and regional formation in East Asia requires a methodological and interdisciplinary pluralism that considers a variety of possible regionalizing factors, including new definitions for regions. As contested by Peter J. Katzenstein, "geographic designations are not 'real', 'natural', or 'essential' ", but are "socially constructed and politically contested and thus open to change" (Katzenstein 1997, p. 7). Regions today are creations that are initiated and developed by people's consciousness and practices as well as by a variety of potential participants. Regions are not something that is necessarily bounded in scope, neither defined solely by geography, nor pre-determined only by intentions and formal boundaries of nation-states.

East Asian regionalization possesses few of such conspicuous characteristics. The first characteristic of East Asia's regionalization is that it is essentially market-driven. Contrary to the slow progress in the formation of regional political institutions, regional economic and consumerist activities are evolving much faster. The cross-border regional activities in East Asia have grown remarkably in the last 20 years, noticeably expressed in the increasing intra-regional trade, production, and financial activities and dependence.[9] A few studies have accounted for the stagnation of the formal political institutions in East Asia vis-à-vis the dynamism of the economy in the region. They have suggested that social and economic-centred processes of private players, rather than the politics and formal institutions of governments, were the propelling engines behind East Asian regionalization (see, for example, Katzenstein and Takashi 1997; Hatch and Yamamura 1996). The growth of this region's economies has

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further cultivated the emergence of an affluent middle class with increasing purchasing power and leisure time, leading to a boost in East Asian consumerism (Shiraishi 2004).

Geographical opacity is another conspicuous characteristic of East Asia's regionalization. In the face of dynamic and border-crossing economic interaction and cooperation in East Asia, the use of geography as a scale to determine the borders of a region is of limited usefulness. It is appropriate to discuss the interaction and participation of cities, individuals, communities, and sub-communities in a formal as well as an informal manner, rather than a region that is solely constructed by nation-states as a whole. China's coastal cities are a good example. They are active participants in the regional and global economy and culture. At the same time, they demonstrate their growing difference and detachment from the rest of rural mainland China. The Indonesian island of Talaud is another small example. There, the unofficial transfer of capital and commodities from the Philippines is constant. The peso, as well as the rupiah and US dollar, are used, and some of the Talaud's inhabitants actually prefer to do their shopping in the Philippines.

Cities are central to the understanding of East Asian regionalization, being the junctions where diverse flows of culture overlaps with excessive consumerism. East Asia's mega-cities (Bangkok, Hong Kong, Seoul, Shanghai, Singapore, Taipei, Tokyo, and so forth) and not nation-states as a whole, serve as the matrixes for cultural innovation, expansion, and mixing and represent the areas where the construction of intra-regional and extra-regional consciousness culminates. In East Asia's mega-cities artistic innovation is matched by the accomplishing industry that turns it into packed cultural commodities and where the products can be marketed to the biggest poll of potential consumers. The production, mixing, and flow of popular culture makes cities and their inhabitants become main players in the evolution of a common market for culture and consequently provide the context for people to re-imagine new spaces and conceptions.

Another peculiar characteristic is that East Asia's regionalization is not an equal process. That is, this regionalization is not necessarily relevant to the population of the region as a whole, but overwhelmingly encompasses the middle class. Many in East Asia are excluded as economically deprived by their inability to buy consumer and cultural goods or other "luxury" products. The middle classes, on the other hand, are the majority of those who both drive and benefit from East Asia's economic and consumerist regionalization. They constantly create demand for imported consumer goods and cultural products, invigorating the region's economic and consumerist base.

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In this context, consumerism is a central feature of East Asia's regionalization. East Asia's newly emerging middle classes have grown remarkably during approximately ten consecutive years of double-digit annual economic growth since the late 1980s. They are this region's cultural-consumerist masses. Observing the emergence of the new middle classes, Takashi Shiraishi argues that "they are the product of regional economic development which has taken place in waves under an American informal empire, over half a century, first in Japan, then in South Korea, Taiwan, Hong Kong, and Singapore, then in Thailand, Malaysia, Indonesia, and the Philippines, and now in China" (ibid., 2004, p. 33). They earn more than ever before and spend on "luxurious" shopping, such as expensive food, entertainment, and travelling. Most of them live in cities where the ability to access education, health services, and entertainment is high and where elevated modern-life conditions are offered for those who can afford it. For example, the income of the residents of metropolitan Bangkok has been four to six times more than half of the Thai population of peasants and farmers who live in the provinces. Over the last ten years, Jakarta has become a metropolitan of 10 million people with developed business and shopping centres to accommodate the needs of the city's growing middle class. In 1997, urban households in South Korea spent six times more on leisure expenditures than the farm households. In Malaysia as well, the rapid economic growth of the last two decades has stimulated the rise of the urban middle class and in 2004 the country reached a 64 per cent level of urbanization (Shiraishi 2004; Kim 2000; Jamalunlaili 2004; Chan 2000).

Consumption is an integral part of the lives of East Asia's middle class and regarded as the natural way to complete the accumulation of wealth. A central feature of this contemporary consumerism is expressed in leisure activities such as shopping, eating out, tourism, and sports.[10] Any observer of consumerism in the shopping areas of East Asian cities, be it Hong Kong's Tsim Sha Tsui, Singapore's Orchard Road, or Bangkok's Pathumwan area, can easily document the stage of rage in which both locals and visitors shop. Even though East Asia's middle classes are embedded in their different spatial locations and income differences do exist, a comparable level of lifestyle consumption is available to most, if not all. Today's Chinese, Malaysians, and Indonesian's urban middle classes can aspire to the same standard of living as their counterparts in places like Seoul, Singapore, and Bangkok.

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Regional Media Alliances

Recent regional collaborations between media companies and promoters have created alliances that have a strong impact on the East Asian cultural market. These alliances are essentially motivated by entrepreneurship in search of new business expansion opportunities, encouraged by the magnification of East Asia's media markets in the decades surrounding the 1990s. Their activities consequently endorse the expansion of East Asia's culture market, extend and strengthen regional cooperation and links, and manifest a substantial cultural content to the imagery of "Asia".

Recently produced pan-Asian movies are a glaring example. These blend a mixture of Asian and Western motifs, and have gained much popularity in East Asia, and to a lesser degree in the American market. Movies such as *Crouching Tiger*, *Hidden Dragon*, and *Hero* were produced and marketed throughout East Asia in a transnational encompassment. Others, like *Jan Dara*, *2046*, *Initial D*, and *Musa* are also ambitious co-productions involving staff members and actors from South Korea, China, Hong Kong, Japan, and Thailand.[11] Low production costs in "cheap" places, such as China, Thailand, and Malaysia provide the right incentives to relocate the production of the movies. The existence of potential consumers in the regional and global markets encourage marketing strategies that aim to include the widest range of audiences in East Asia and beyond. The outcome of all this is affecting the way the East Asian audiences get to conceptualize "Asia" as well as its conceptualization by audiences outside of Asia.

India's Bollywood is another industry that successfully exports its movies to East Asia. Bollywood produces over 800 new movies every year (that is, more than double the number of feature movies produced in the United States), together with its innovative music and fashion styles, especially to Central and South Asian consumers in Pakistan, Bangladesh, Sri Lanka, and Nepal. Throughout East Asia and beyond, theatres featuring Bollywood's movies have become community foci for South Asians, and a way for them to stay in touch with their culture (Mehta 2005). In Southeast Asia, Bollywood movies and music are widely offered in places such as Singapore, Hong Kong, and Malaysia, where they diversify and enrich the local cultural scenes with another alternative.

Hong Kong is considered to have the third largest movie industry in the world, after India and America. In 2003, for example, a total of 79 Hong Kong movies were released which garnered box-office receipts of

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US$419 million, and an export value of US$1,050 million in the form of videotapes, laser discs, and other compact discs.[12] Hong Kong movies have a strong international appeal with a genre of movies associated with martial arts and action-comedies. Actors like Jackie Chan, Chow Yun Fat, Jet Li, Michelle Yeoh, and Leslie Cheung have become international stars and their movies widely available in cinemas as well as in VCD and DVD (video and digital compact disc) versions in media shops across East Asia. A few of the actors later signed on to star in Hollywood. The Hong Kong–made movies are especially popular in China, where they are excused from the global quota of 20 foreign movies per year and have been enjoying a zero import tariff since January 2005.

East Asian collaborations are taking place in the field of music as well, gauging the probability of the rise of an East Asian popular culture and creating new musical genres. More than the broadcasting media industries, the primary tendency of musical productions in East Asia is still developing regionally, rather then attempting to extend globally. *Channel V* is an important player. It is an Asian version of *MTV* that enjoys phenomenal popularity across East Asia. The channel constantly introduces various local and international pop and rock music to its wide cable television audiences. *Channel V*'s music programmes often categorize its presented music as "Asian music", which includes the pop music of different East Asian music artists and bands.

Sony Music Entertainment's recently produced Asian pop music collections are another notable example of entrepreneurship that stimulates the idea of a newly emerging pan-Asian musical content.[13] In 2004 Sony produced a two-volume pop music collection featuring Japanese, Hong Kong, Taiwanese, and South Korean music artists. The success of the album motivated the production of new volumes in 2005 including Thai music. In domestic scenes as well, musical productions are encouraging the binding of music from East Asia into a new genre. In Thailand's Pattaya music festival, for example, which is organized every year in March, the non-Thai performances are divided into "Asian", where music artists from across East Asia perform, and "International", where the music is in English.

In the field of television, few transnational alliances have been articulated; however, high production costs serve to impede many transnational television production attempts, positioning them in their still embryonic stage. In transnational television broadcasting, *Star TV* is Asia's biggest entrepreneurship in recent years, owning a wide variety

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of entertainment, news and sports channels, and creating a potential poll of consumers of 300 million homes ranging from China to India. Its strategy favours localizing contents and broadcasting in Asian languages, especially in Mandarin (Sinclair 1997). Many television companies in East Asia, however, are cautious about sponsoring expensive transnational productions of television dramas and variety programmes. They alternatively purchase and localize imported television content, or serve as sub-contractors for foreign productions.[14] In the case of the Japanese and the South Korean television companies, they prevalently prefer exporting their domestically produced content.

Nevertheless, a few attempts at collaboration have taken place, and their importance lies in their overall entrepreneurial exploration and the subsequent transfer of cultural production know-how. A few Japanese companies have explored the field of transnational television production in East Asia, linking related companies and promoters and influencing indigenous industries. *Fuji TV*, for example, in collaboration with companies in Singapore, Malaysia, Indonesia, Taiwan, and South Korea, produced and directed the popular star-search programme *Asia Bagus!* (Asia is great!). *Asia Bagus!* was broadcast in the 1990s on prime time television in five East Asian countries and became influential in shaping young peoples' fashion and lifestyles, in addition to their music (Iwabuchi 2002, pp. 100–6). Another company is JET TV (Japan Entertainment Television), which targeted audiences across East Asia. JET TV was established in 1995, and until 1999 broadcast from its base in Singapore to seven destinations in the region: Taiwan, Singapore, Hong Kong, Thailand, Malaysia, Indonesia, and the Philippines. JET TV's broadcasts mainly included Japanese dramas, variety shows, and cartoons, which were also dubbed into English, Mandarin, and Thai.

Japanese-made media productions have additionally served as an example and a model for media-collaborated productions in East Asia, providing an alternative to American models. In East Asia of today, many of the music, television, comic books, and animation products might incorporate a mix of locally drawn motifs and languages, while the format they are shaped in is Japanese. Idol productions and star-search programmes are conspicuous examples of such. Japanese-style idol productions were broadly imitated throughout East Asia, especially in Taiwan, South Korea, Hong Kong, and Singapore. These are young idols, usually between the ages of 14 and 24, and are often more than "just" music artists. Distinctive singing ability and extraordinary physical attributes are less important. Rather, the idols are expected to maintain close contact with their

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audiences and give the impression that anyone can be a star. Much of their fame is achieved through subsequent frequent appearances on TV programmes and commercials.

Many music artists in East Asia were "discovered" in Japanese-based star-search programmes and were produced through collaboration between media companies and organizations from Japan, Singapore, Malaysia, Indonesia, Taiwan, South Korea, China, and even Vietnam. In the 1990s these included Dai Rao and Jie Liu of China; Soteji-Wa-Idol and Susie Kang of South Korea; Andy Lau, Vivian Chow, and Sammy Chen of Hong Kong; and Emile Chow, Vivian Hsu, and Tarsy Su of Taiwan (see Aoyagi 2000).

Japanese popular culture innovations were at times developed and expanded to become more successful than the original frame. The Japanese girls comic *Hana Yori Dango* ("Men Are Better Than Flowers") provides an interesting example for an originally Japanese-made cultural content that was later shaped and transformed to impact other markets in the region. *Hana yori Dango* was illegally imported to Taiwan and South Korea during the 1990s, and was extensively translated and popularized. Comic Ritz, a Taiwanese-based company later produced the comics to a phenomenally successful television drama called *Luuxing Huayuan* ("Meteor Garden"), which was later exported and broadcast in more than ten East Asian countries since 2002. The four young male feature actors in the Taiwanese drama were later grouped to a famous music band called *F4*, on the *Sony Music* label releasing three music albums and two commercialized DVDs and sold countless related merchandize throughout East Asia. The success of *Hana no Dango* brought *Comic Ritz* to produce ten other television dramas based on Japanese comics, and later to export and popularize them in East Asia, in cooperation with various related companies and promoters.[15]

East Asia's Confluence of Culture

The dense traffic of popular culture throughout urban centres in East Asia serves as a powerful regionalizing engine, generating the formation of a transnational market for culture and pulling East Asian cities and their inhabitants closer together. The confluence of American, Japanese, Chinese, and Korean culture gradually intensified throughout East Asia in the 1990s, following the waves of growing economic and consumerist activities. They are constantly shaping the region's cultural scene and are an indication of the growing regional market. The regional circulation of popular culture is generated by demand, but this depends as much on the ability of the industry to translate artistic innovations to cultural

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products and transnationally deliver them to consumers.

In East Asia of today popular culture products routinely cross national borders as part of the culture of consumption that defines an integral part of everyday life. Now, more than ever, many East Asians share popular culture products, as well as consumption habits, leisure activities, and lifestyle trends. East Asian consumers have many cultural preferences, concurrently or supplementarily consuming American, Japanese, Chinese, Korean, and other culture-related products. Millions of youths in places like Hong Kong, Seoul, Shanghai, and Jakarta might covet the latest fashions from Tokyo, listen to the same genre of American pop music, watch Chinese dramas shown on television or available on DVD, read Japanese comic books, and go out with friends to watch the latest Korean movie.

American culture continues to loom large over the world's markets, and its products are being successfully marketed in places where local income levels have reached a standard that makes the prices affordable. In the year 1996, for example, the American share of the world market for pre-recorded music accounted for 60 per cent. In 2000 America's domestic market constituted more than a third of the world's sale of films, television programmes, music, magazines, and popular literature. In Japan, Hong Kong, Taiwan, Singapore, South Korea, and Thailand, American music accounts for between a fifth and a third of domestic sales. In most of East Asia, Hollywood movies remain the most popular. In Hong Kong, for example, imported movies account for approximately 60 per cent of the market, of which 80 per cent is American. In China, within the quota of 20 foreign movies allowed every year, American movies regularly occupies the top places in generated revenues. In Singapore, Taiwan, South Korea, and Thailand, American movies occupy between a third and a half of the market. American TV dramas, such as *ER*, *Friends*, and *Sex and the City* are broadcast in local television stations throughout the region.[16]

Despite the global dominance of the United States in the field of culture, and the Western-constructed political, economic, and cultural modern world system (Wallerstein 1991), national and regional markets for culture do exist, develop, and refute the notion that the world's popular culture scene should be completely homogeneous. In East Asia, as in other parts of the world,[17] regional markets intensify, encompass new audiences, and in some cases even exceeds the American counterpart in popularity.

Chinese pop music, in both Mandarin and Cantonese, is increasingly popular among young Chinese audiences in East Asia. Taiwan has recently replaced Hong Kong as the regional hub of Mandarin-language pop.

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Music artists from Taiwan, Hong Kong, and Singapore intensively promote their music in Asian markets, becoming especially popular in cities that are predominantly Chinese. The Taiwanese popular singer Chang Huei Mei (more popularly known as "Ah Mei"), for example, is buoyed by fans throughout East Asia, even though the Chinese government had banned her music and images. Jay Chow, another Taiwanese-born singer and song-writer has successfully marketed himself as a pan-Chinese artist and is now the most popular singer in contemporary China in terms of album sales and concerts (Fung 2005). Kelly Chen, a Hong Kong–based singer and actress is another superstar, widely known to every Chinese pop music and Chinese drama fan in places such as Taipei, Shanghai, or Bangkok. The culture and entertainment sections of local newspapers in Taiwan, Hong Kong, Singapore, and Shanghai constantly depict Chinese music artists from across Asia, providing daily reports of their music and life. Some of these artists no longer remain only "Taiwanese", "Hong Kongers", or "Singaporeans", but are upgraded to becoming Asian-Chinese idols, making pan-Asian Chinese pop music an existing fact.

During the last three decades a range of Japanese popular culture products have been widely disseminated and deeply embedded in Asia's cultural scenes. They have influenced the local popular culture scene and have been introducing to young Asians new consumption opportunities and lifestyles. Many of today's fashion journals in Hong Kong are Japanese, either in Japanese or in their Cantonese version. Japanese comic books are massively translated into the local languages in South Korea, Thailand, Indonesia, and Taiwan and dominate East Asia's comic books market. Japanese animated characters, such as *Hello-Kitty*, *Anpan Man*, and *Pokémon* are depicted on licensed and unlicensed toys and stationary items in every typical market in Asian cities. Japanese animation, usually in dubbed version, is the most popular in its field. *Astro Boy*, *Sailor Moon*, and *Lupin* are but a few examples of popular animated characters seen in almost every shop that sells animation in Hong Kong, Singapore, and Bangkok. Japanese adult movies also seem to gain a huge popularity in many East Asian cities, usually in pirated VCD and DVD versions.

Japanese music and television companies, such as Pony Canyon, Avex Trax, Amuse, Rojam and Fuji TV have been seeking market expansion opportunities in East Asia and became engaged in various television broadcasts and productions during the 1990s. Their productions were often based on Japanese formats and experiences in Japan, and they gradually establish various ties with local companies

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and organizations. Through the activities of Japanese music companies and their local promoters, many Japanese music artists have become known outside of Japan as well. Utada Hikaru, a young Japanese female music artist, for example, has sold more than one million copies from her three albums in the last six years in Thailand alone.[18] Other prominent artists, such as Chage and Aska, Sakai Noriko, Mika Chiba, Seiko Matsuda, Akina Nakamori, Amuro Namie, and Hamasaki Ayumi have reached superstar and cultural idol status, at times exceeding their mere status as singers, and becoming fashion models for young East Asians.

Japanese television dramas and variety programmes have also gained continuous popularity and have become an integral part of East Asia's television scene. Japanese television dramas such as *Tokyo Love Story*, *Long Vacation*, and *Yamatonadeshiko*, Japanese variety programmes such as *TV Champion*, various cooking shows, and especially Japanese animations such as *Doraemon*, *Tiger Mask*, and *Detective Conan* have been constantly broadcast on public television and cable channels in Hong Kong, Singapore, Thailand, and Indonesia, and also recently in Taiwan and South Korea.

Korean popular culture is also leaving its mark on East Asia's cultural scenes, creating the current so-called *Hanliu* ("Korean Wave"). In the last five years South Korean television dramas, movies, music, and fashion have gained immense popularity throughout East Asia, adding a variety of new images and consumption opportunities (Kim 2005). With a marketing strategy that mixes television exposure, commercials, and music, South Korean idols have become phenomenally popular throughout the region. Won Bin and Song Seung-hun, for example, are widely known among young Asians through their roles in the hit TV drama *Autumn Fairy Tale* (2000). Other famous South Korean idols that have become famous in the same way include Jang Dong-gun (*Friend*), Cha Tae-hyun (*My Sassy Girl*), Lee Jung-jae (*Il Mare*), Kyon Sang-woo (*My Tutor Friend*), and Bae Yong Jun (*Winter Sonata*).

This recent popularity of South Korean popular culture has a strong economic impact, in addition to inciting in many East Asians an interest in Korean culture. Korean television broadcasting export jumped from US$8,318,000 in 1997 to US$18,920,000 in 2001 and to US$71,461,000 in 2004, and has boosted tourism to the country. In 2004, for example, Korean airlines reported a major increase in tourists flying to visit the ski-resort where the popular television drama *Winter Sonata* was filmed, generating US$$950 million in revenues.[19]

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The Piracy Impact

Media piracy markets in East Asia plays a conspicuously important role in fuelling the regional confluences of popular culture by facilitating and accelerating the diffusion of related products throughout restrictive conditions. Music piracy in East Asia, excluding Japan, is widespread and includes the vigorously pirated music markets of China (the biggest piracy market in the world), Taiwan, Indonesia, Malaysia, and Thailand.[20] According to the International Federation of Phonogram and Videogram Producers (IFPI) music piracy in 2000 was at least 90 per cent in China, 85 per cent in Indonesia, 50 per cent in Taiwan, Malaysia, Thailand, and the Philippines, and 30 per cent in Hong Kong, Singapore, and South Korea. East Asia's lucrative piracy markets are based on cheap manufacturing and resilient transfer of products to a wide range of potential customers. In some cases, such as in the pirated comic book, music, and video rental industries, technological constraints were not important. The technology that enables the transfer and spread of the products is relatively simple, at least in comparison to more technologically advanced industries, such as automobile and electronics. All that is needed is a recorder to burn pirated CDs, VCDs, and DVDs, and a few VCRs to illegally record and distribute television programmes.

In East Asia media piracy often blatantly ignore government censorship. Governments in East Asia have occasionally restricted the importation of certain products, cautioning their supposedly educational, or politically harmful content. In the Philippines, for example, imported comics and TV animation were often banned, because of their violent content, or because they threatened to overshadowed the regime's supported productions. In Malaysia, the Home Ministry must still approve comic book imports before distribution in order to examine and judge their educational and political risk. In 2002 the Culture Ministry in Thailand was reconstituted with the "mission to make sure we communicate with our public loudly and clearly that culture belongs to people, not organizations".[21] The Ministry is extensively engaged in campaigns to restrict potentially violent or pornographic cultural products.

However, censorship and restrictions aimed at preventing the infringements of popular culture products have been very ineffective. The attractiveness of the imported popular products to consumers, the ability of networks to supply such products, and the hugely popular pirated markets, have made it difficult for government restrictions to succeed. As any visitor in East Asia's big cities will

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notice, prohibited products are ubiquitous — pirated versions are easily available from street vendors and shops. In spite of the censorship on adult movies, they are openly and massively offered in pirated versions in places such as Hong Kong's Ho King and Sino Center, and Bangkok's Pantip and night market. In Thailand, Hong Kong, and Singapore, roughly 60 per cent of the pirated music and at least 70 per cent of the pirated movies, in CDs, VCDs, or DVDs, are American and European.[22] Even in Singapore, where media piracy is relatively low and copyright enforcement is harsh, pirated products do exist, available locally or through a short visit to neighbouring Malaysia.

Censorship in East Asia was sometimes a late reaction to colonization and aimed to prevent a new sort of "cultural imperialism". Such was the ban on the importation of Japanese culture to Taiwan and South Korea through most of the post–World War II era.[23] These restrictions as well were very ineffective. In Taiwan, in spite of the restrictions, Japanese songs and video programmes were widely heard and rented in most music and video-rental stores in Taiwan, and Japanese fashion magazines (or their Chinese versions) were readily available, even from street vendors (see testimonies of Ching 1996, p. 189; and Iwabuchi 2002, pp. 138–39).

In South Korea, throughout the 1990s approximately 30 per cent of the domestic illegal market consisted of Japanese music.[24] The pirated music market was estimated to occupy more than 30 per cent of all the music market in the country, which made illegal versions of Japanese music alone reach as much as 10 per cent of all of South Korea's music market, legal and illegal combined. Apart from that, karaoke bars and the Internet additionally made Japanese music and television dramas abundantly available in South Korea, easily bypassing the government's ban and resiliently offering Japanese culture to consumers (Otake and Hosokawa 1998, pp. 186–87; Pack 2004).

An important impact of East Asia's media piracy markets is in the forcing of governments and organization in the region to cooperate. Governments in East Asia have been continuously alerted to the damages piracy inflict on the economy and for the need to improve enforcement of copyright violations. The Japanese government, for example, has recently been emphasizing the importance of enforcing intellectual property rights, raising the issue on the agenda of its FTA (Free Trade Agreement) talks with Singapore and Thailand, and repeatedly raising alerts against the piracy of Japanese products in Asia.[25] Multinational and regional music and television companies have also been cooperating in fighting the piracy of their products.

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They have established local and regional federations to promote awareness and the enforcement of piracy laws and lobbied governments to articulate anti-piracy measures.[26]

Concluding Remarks

Even more than the power of the written word and of visionary leaders, popular culture has shown prodigious abilities to transcend barriers and barrios and reach new audiences. Throughout East Asia multi-directional popular culture confluences have been rapidly penetrating markets and encompassing mainly urban consumers. They were able to disseminate even under restrictive conditions, endorsing the magnification of a regional market for culture. Concurrently, transnational media alliances create new frameworks for cooperation among companies and organizations in East Asia and facilitate the regional process of production, diffusion, and indigenization of culture.

The dissemination of popular culture products throughout East Asia was propelled by the demand of a growing middle-class consumers and the ability of the accommodating industries and networks to supply. The popular culture industries and products connect consumers, both individuals and communities, to each other on a regional scale while blurring nation-state boundaries. The regional diffusion and consumption of cultural products suggests that a particular sector within the East Asian economy has evolved: a sector that connects industries, networks, and consumers in different places to a common spatial platform on the basis of cultural commodification. Popular culture products, together with the industries and networks that support them, substantially increase the regional level of cooperation and reciprocity in a shared cultural market.

Based on the dispersion of popular culture, a few characteristics of East Asia's regionalization can be discerned. The first is that the regionalization process in East Asia, as seen through the dissemination of popular culture there, is "market-led". The core process of regionalization described herein was not determined or shaped by governments and other highly formal institutions; instead it was mostly an informal institutional process, supported by consumers of popular culture and the accommodating industries and networks. As such, this regionalization is clearly generated from below rather than by the state.

Thus far, the state seems able only to offer very limited guidance. If it wishes to support this regionalization it can provide the infrastructure and offer incentives to stimulate a region-wide cultural-

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industrial reciprocity. At the same time, the state should not intervene in the process of cultural commodification to wield political power. Markets are much more efficient than governments in producing popular culture. Moreover, East Asians have already demonstrated their discontent with the state's attempts to direct their cultural consumption preferences.

Secondly, it is evident that regionalization in East Asia is not an equal process. Confluences of culture did effectively penetrate national boundaries, but their presence and encompassment differs from one market to another. Not all of the people in all the markets in East Asia are equally exposed to the same amount of imported culture, nor are all East Asians participating equally in consuming popular culture. The flow and consumption of media throughout East Asia differs from one market to another, and depend on local demands and the ability of the accommodating industry to supply.

This selective regional encompassment has important socio-political consequences. Urban middle classes are those who provide the yeast for East Asia's regionalization, and represent the model for others. Many East Asians who live in rural areas and do not belong to the region's consumerist-oriented middle class, including the peasants, poorly paid working classes and ethnic minorities, are either linked through a loose intensity or initially being left out. Moreover, the bulk of cultural consumption and production emanates in Northeast Asia, namely, in the markets of China, Japan, South Korea, and Taiwan. Their importance to the regionalization process therefore increases. China's phenomenal economic rise, in particular, raises its importance, as entrepreneurs and promoters are constantly looking for business expansion opportunities there.[27] Nevertheless, the linkage of people in other parts of East Asia has been facilitated. The middle classes in places such as Vietnam, Cambodia, and Myanmar are still due to embrace some degree of the Sino-centred, J-pop centred, and K-pop centred cultural flavour, either directly or through their own indigenized versions manifesting locally drawn images and motifs, based on Chinese, Japanese, or Korean production formats.

Third, it can be argued that the regionalization described herein does not drive East Asia towards a culturally homogeneous end, nor does it necessarily advance the adaptation of a unified and prevailing transnational identification. Rather, it decentralizes East Asia's cultural structure, highlighting local productions and appropriations. The regional production, dissemination, and consumption of popular culture enrich East Asians with a variety of new images and options. Indeed,

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East Asia is becoming a region that contains overlapping circles of cultural preferences and allegiances, which exist simultaneously and of varying intensity.

Evidence for the emergence of regional identities in East Asia, which applies to the construction of a shared Asian consciousness, is beyond the scope of this study. Further studies are needed to evaluate the extent in which the diffusion of popular culture in East Asia generates constructions of identities. The economic and cultural platforms that the popular culture industries create do, however, enable the emergence of commonalities of identities and conceptions. They are important in allowing individuals and communities in different places to reciprocate each other's cultural ideas, innovations, and products in a direct and informal manner in a transnational encompassment. All of these trends and flows are cumulatively creating discursive and conceptual spaces for the possible emergence of pan-Asian cultural similarities.

NOTES

* I am grateful to Takashi Shiraishi, Carol Hau, Takeshi Hamashita, and Eyal Ben Ari for their helpful suggestions and comments on earlier versions of this article.

1 For the purposes of this paper, "East Asia" refers to both Northeast Asia and Southeast Asia. As it will be evidenced throughout the paper, the circulation and impact of popular culture was eminent throughout the markets of both Northeast and Southeast Asia, mainly encompassing Japan, China, Hong Kong, Taiwan, South Korea, Singapore, Indonesia, Malaysia, and Thailand.

2 Such as the efforts of imperialistic Japan to promote and mobilize "Asian" solidarity under Japanese-led so-called "Greater East Asia Co-Prosperity Sphere"; or since the formation of *ASEAN* in August 1967.

3 For wide, pluralistic discussions on "Asian" concepts and ideas, see *"WeAsians" Between Past and Future* (2000), and Yamazaki (1996). For an opposite trend, which favours the creation of a more exclusive Asian type of region, see Mahathir and Ishihara (1995), Mahbubani (1995), and Ogura (1999).

4 See, for example, Frankel and Kahler (1993) and Katzenstein (2002).

5 Definition of *regionalization* as a technical term (versus *regionalism*, which refers to rhetorical and ideological concepts of regional identity) is clearly presented in Blechinger and Jochen (2000). Further discussions on the definition and concept of regionalization in Buzzan (1998), Gamble and Payne (1996), Higgott (1998), and Pettman (1999).

6 For an introductory literature of regional formation theories see Fawcett and Hurrell (1995), Hass (1973), Kahler (1995), and Mansfield and Milner (1997). For realist theories, see Crone (1993) and Grieco (1997). For institutional theories, see Haggard (1997), Milner (1998), and Solingen (1996). For cultural and identity-related aspects of regional formation, see Huntington (1993), Mayall (1995), and Wendt (1994).

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Quotation on "Japanese", "Hindu", and "Confucian" civilizations as given in Huntington (1993, p. 25).

7 Noteworthy meticulously written constructivist works on East Asian regionalization and regional formation are Castells (2000) and Katzenstein (1997).

8 See, for example, Mahbubani (1995), Ogura (1999), and Yamazaki (1996). A different yet interesting attempt is Acharya (2000). He utilizes Southeast Asian historiography and macro-politics in an attempt to construct regional identity, emphasizing the weaknesses of the realist theoreticians.

9 The importance of intra–East Asian trade has increased from 11.3 per cent in 1975 to 19 per cent in 1985, to 25.6 per cent in 1995, and to 25.7 per cent in 2001. The intra-regional FDI in East Asia (as a part of the world's FDI) has also increased during that period, from 4 per cent in 1980 to 8 per cent in 1994 (Chirathivat 2003, pp. 2–3; Urata 2003, pp. 7–13).

10 See Chua (2000). In South Korea as well, in spite of a public discourse criticizing excessive and "wasteful" consumerism, the 1990s generation is clearly consumerist (Kim 2000).

11 On the mentioned movies, see coverage in *Newsweek*, 21 May 2001; 15 December 2004; Special Edition: July–September 2001; *Time*, 21 January 2002.

12 Film Service Office Hong Kong. November 2004. http://www.fso-tela.gov.hk/index.html.

13 *Sony BMG Music* Regional Office in Hong Kong has been strategically encouraging its branches in East Asia to produce constellation albums that include transnational collaboration of music artists. Interviews in Bangkok and Seoul during February and April 2005.

14 Interviews with personnel from television companies in Hong Kong, Singapore, and Thailand during June–July 2004 and February 2005.

15 For more on *Comic Ritz*, see http://aii.co.jp.

16 On America's global popular culture might, see Hamano (2003), Rothkopf (1997, p. 43), and International Federation of Phonogram and Videogram Producers 2000–2002. For American movies, see US Department of Commerce. http://www.stat-usa.gov; *Time*, 21 January 2002; *Hakuhodo News*, http://www.hakuhodo.co.jp.

17 Noteworthy countries outside of East Asia are Brazil, Mexico, Egypt, and India. They maintain and develop media industries, which extensively export their products to consumers of other nationalities.

18 EMI Thailand, interview conducted in February 2005.

19 Figures provided by Korea Broadcasting Institute, April 2005; BBC Asia, 22 December 2004.

20 For a world and regional view of piracy levels, see International Federation of Phonogram and Videogram Producers, *Music Piracy Report* (2002), http://www.ifpi.org.

21 *Strait Times* (Singapore), 1 July 2004, p. A1.

22 Estimates given to the author by the local Federations of Phonogram and Videogram (IFPI) offices.

23 The importation of Japanese music, movies, and television programmes to Taiwan was banned after Japan officially re-established diplomatic relations with the People's

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Republic of China in 1972, but has been gradually allowed since 1993. Since 1998 the South Korean government has also been easing its ban on the importation of Japanese culture.

24 Japan's Ministry of Economy, Trade, and Industry, Media and Content Industry Division. 2002. *Ongaku Sangyo no Joutai to Kadai ni tsuite* [Challenges and prospects for the music industry]. Commerce and Information Policy Bureau, Contents Distribution Promotion Committee.

25 Japan External Trade Organization. 2001, 2002. *Hakusho* [White paper]. Tokyo, 2001, 2002.

26 Author's interviews with IFPI chairpersons in Hong Kong, Singapore, and Thailand.

27 Interviews with media industry personnel indicated that the future of many music, films, and television industries in East Asia depends on their expansion to the Chinese market. Prominent music artists from Hong Kong, Singapore, and Taiwan, for example, usually produce a special version of their album, especially designed for the Chinese market. Author's interviews in Hong Kong and Singapore, June–July 2004.

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Contemporary Southeast Asia 27, no. 3 (2005): 524–45 ISSN 0219-797X

Book Reviews

***My Side of History*. By Chin Peng. Singapore: Media Masters, 2003. Softcover: 527pp.**

For those growing up in Malaysia and Singapore in the 1950s and 1960s, the Chin Peng name was congruent with dogged frightful terror and for some, a heroic sense of awe for all things anti-establishment. Held incommunicado for much of the following decades, his first public appearance in 1999 was a history waiting to be told.

The book is a narration of Chin Peng's experiences as a guerrilla with the CPM — Communist Party of Malaya (until the 1960s, it was called the MCP — Malayan Communist Party) as told to the two writers of the book: Ian Ward and Norma Miraflor. It is a gripping story of a man who devoted his life in pursuit of communist rule in Malaya and Singapore, with its attendant elements of high drama, intrigue, violence, and the tragic outcomes that are still being felt by families in many countries. He was first an anti-Japanese fighter in the Malayan People's Anti-Japanese Army (MPAJA) in 1942 (p. 67). The CPM had an alliance with the British against Japanese occupation but parted company after the war.

Chin Peng's guerrillas peaked at only 5,000 against the "several hundred thousand troops" of the Allied Forces (p. 26). The hardship the guerrillas had to endure, from deep in their Malayan jungle bases with meagre food often exacted from villagers, was a point Chin Peng did not miss to make to recount his resolve for a liberated Malaya.

Chin Peng was born Ong Boon Hua on 21 October 1924 in Sitiawan,

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a small town in the state of Perak in peninsular Malaysia to parents who were reasonably well-off, hardly your stereotypical deprived peasantry of revolutionary struggles. He joined the CPM in January 1940 when he was sixteen years old — by then the party had been in existence for ten years since its formation in Singapore (p. 57). He became the CPM's chief (secretary-general) in 1947. Though it was not officially banned, the party was subject to frequent harassment by the authorities during its early years.

Chin Peng's baptism as a communist began with his readings of Mao Zedong's war against the Japanese and later the Kuomintang (KMT). At the time, overseas Chinese in Malaya were divided between the loyalists of the KMT and the more radical sympathizers of the Communist Party of China (CPC). Young Chinese like Chin Peng were drawn to Mao who they regarded as the epitome of a blossoming Chinese nationalism while the older overseas Chinese stayed faithful to the KMT. Chin Peng was enthralled by Marx and Lenin whose writings, then proscribed by British Malaya, were smuggled into the country by migrant Chinese fleeing from war-torn China. While Mao was fighting the KMT, Chiang Kai Shek, the KMT leader, doled loyal Chinese in Malaya and Singapore to resist the Malayan communists. Chin Peng had, not one, but two adversaries on his hands. But he did not seem to make much of his fight against the KMT and thought rather lowly of its forces (pp. 108–11).

When the Japanese landed at Kota Bahru, the capital of northern Kelantan state, on 8 December 1941, the CPM offered assistance to the British to fight against the invaders. The British were enthusiastic but it was not until 1943 when they had the pro-British clandestine Force 136 work with the CPM (p. 11). The British valued the CPM's contribution in the war effort and many of the CPM's leaders were decorated by the colonial government after the war. Chin Peng himself was awarded the OBE.

With the surrender of the Japanese in August 1945, and upon demobilization of the MPAJA, the CPM decided that since official recognition for its political role was not forthcoming, it would fight against British presence with the aim of self-determination according to the Atlantic Charter and the UN Charter (pp. 161, 375). The party went underground but was not officially banned until the BMA (British Military Administration) ended upon the proclamation of the Malayan Union on 1 April 1946.

The CPM tried to wage peace at the 1955 Baling Talks but Chin Peng intimated that he had vainly pressed for too many concessions

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from the three-man panel of the Tunku (the United Malays National Organisation president and later to be Malaya's first prime minister), David Marshall (then Singapore's chief minister), and Tan Cheng Lock (the Malayan Chinese Association president), knowing full well that their brief was only to explain terms of amnesty and not to negotiate peace terms (p. 364). Chin Peng was fervent in his belief that CPM recognition and acceptance of its role in political life was fundamental to any peace terms (p. 370). His parting shot to the Tunku at the talks was, "If you demand our surrender, we would prefer to fight to the last man" (p. 386).

The CPM's position was untenable. It decided to step up its guerrilla warfare but its campaign was anything but successful as it got driven out further north and over the Malayan border into Thai territory where it was given safe haven by the Thai government on the promise that it would not be involved in Thai politics. Chin Peng credited British success to the Briggs Plan, which created fenced-off "new villages" patrolled by local "Home Guard" vigilantes near many of the CPM's jungle hideouts, virtually cutting off food supply for the CPM (p. 280).

The CPM persisted in its resistance despite Malaya's independence being achieved in 1957. The CPM remained stuck and isolated in the remote jungles of southern Thailand. During this time and right through the 1970s, Chin Peng spent much of his time in Beijing drumming up both material and ideological support for his much-depleted forces in the Betong area of Thailand. The CPM, though, continued with its tirade against Malaysia, which he claimed was a neo-colonialist plot (p. 437) despite the fact that China was later to recognize the nation.

A number of developments soon saw the CPM fast disintegrating. First of all, there was the internal infraction in the party that split it three ways. Then there was Indonesia's *Konfrontasi* (1963–65) which brought sympathetic attention to Malaysia and muted the CPM's cause. Later, there was Tun Razak's visit to China in 1974, and Lee Kuan Yew's "successful" visit in November of 1980 (p. 457). Chin Peng was also under pressure to dismantle the CPM's radio station in Hunan and that happened on 30 June 1981, effectively severing a crucial moral base from which he had enjoyed transmitting propaganda broadcast for decades. The consequence of this was that China was no longer seen to be interested in the CPM. This had, in fact, been preceded by the 1978 accession of Deng Xiao Ping with whom Chin Peng had less than warm relations (pp. 457–59). The former was reported to have said, on his visit to Kuala Lumpur in 1974, that "China henceforth ... regarded her relationship with the CPM as a fact of history — something that should be left behind" (p. 483). With Chinese patronage at its lowest ebb, Chin

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Peng courted peace through the auspices of the Thai military, and in 1989, signed a peace accord with the Mahathir government. Never to accede to a surrender, the document marked the demise of the CPM.

The book has 32 chapters. The first chapter opens, somewhat, in the middle of Chin Peng's story, detailing the beginnings of the CPM alliance with the British. In the following four chapters he talks about political induction and early experiences in the CPM. In chapters 7 through 12, he talks about his relationships with Force 136, the British anti-Japanese group, British awards to him and his comrades on their contribution to anti-Japanese resistance. He talks at length about his disappointments with the British, and the failure of the latter to properly accord him and the CPM political legitimacy.

He devotes chapter 20 to Lee Meng, a loyal CPM activist who was arrested and put on trial for possession of arms. Lee Meng's defence was that it was a case of mistaken identification. She alleged that she was not the terrorist whose picture showed a woman with a hand grenade dangling conspicuously on her waist. The trial attracted international attention and through petitions, some from British members of parliament, and an adept defence, Lee Meng was discharged.

It is a mystery why Chin Peng would talk so much about Lee Meng. Chin Peng stressed that Lee Meng was indeed the notorious terrorist the British had always claimed her to be but for her steadfast denial that obviously had the prosecution duped. Reading between the lines, it seems Chin Peng himself was not altogether sure of Lee Meng's identity. He made much of Lee Meng's banishment to China and his eventual meeting with her there, to assure himself that he really knew who the real Lee Meng was. It is doubtful if Lee Meng herself had revealed anything to Chin Peng.

In chapters 21 to 26, he discusses the abortive peace efforts of the Baling Talks and the return to armed insurgency. Much of the next two chapters are on the problems of the CPM, the splits, and the betrayals. The last three chapters touch on the loss of China's patronage for the CPM and Chin Peng's overtures for peace with the Malaysian authorities through Thai mediation. In the last chapter, perhaps the most poignant in the book, Chin Peng expresses his disappointment and sorrow for a failed cause and his yearning to return to Malaysia which he first attempted in 1999. Six years on, Chin Peng is still battling the Malaysian courts for a reprieve.

Comments

The book has a good story-telling tone with competent language. It is

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well put together despite the somewhat haphazard chronology. However, there are large swathes of broken tone, which suggest that certain passages are apparently not Chin Peng's verbatim narration. While it only minimally affected the flow of the language, it is sometimes disconcerting when the story alternates between the first and third person.

Chin Peng's rancour against the British is made abundantly clear in the book and with it some very obvious bias which unfortunately blurs the lines of fact and emotion. This is perplexing given that for the good part of British rule, the CPM had enjoyed official recognition, albeit a rocky one. He speaks fondly of some British officers but seems nonchalant with the callous killings of British civilians (though he did express dismay at the killing of one young planter). His main gripe had been against the cruelty the British administration and the expatriate planters and miners had meted out on the locals. We do hear from time-to-time of British high-handedness, aloofness, and mean authoritarianism but there is no documented evidence of widespread ill-treatment by the British nor the expatriates.

If waging a war against the British was about liberation, Chin Peng did not say how he was to achieve it. When Britain showed its willingness to leave Malaya following the Baling Talks, there was no let up of the CPM violence. Indeed, the CPM fought on even after independence in 1957. In fairness to Chin Peng, he never spurned peace overtures but these were often marred by unacceptable terms and his arrogance. But then, by that time he was hardly ever in the jungle camps of Betong in southern Thailand. He chose to direct the insurgency from his ideological base in Beijing. In fact, there is very little, if any, of Chin Peng engaging in skirmishes at any time of the insurgency in the book.

The Malayan Emergency was a totally futile war, and the CPM was on the backfoot for much of the time. That it took nearly three decades after independence to finally call it a day underlined Chin Peng's intractable determination to a lost cause.

Chin Peng is appealing for his return to Malaysia, his country of birth, a country he claims to love so much but with whom he waged a bloody war that is still fresh on the minds of some war veterans. It is clear that Chin Peng is somewhat less than willing to bare it all in this book. He makes the point that the book is not the history of the CPM; this is a pity as every interested reader would welcome the valuable insights of the historical records of the CPM and its struggle in the Malayan Emergency. This book seeks to vindicate misconceptions about Chin Peng although it does seem to struggle between fact and

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supposition. Nonetheless, the book is a narrative that is certainly worth reading.

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***Regionalism in Post-Suharto Indonesia*. Edited by Maribeth Erb, Priyambudi Sulistiyanto, and Carole Faucher. London and New York: RoutledgeCurzon, 2005. Hardcover: 234pp.**

Indonesia is currently attempting to redistribute political power away from the unitary republic for a more decentralized system in which decisions would increasingly be made at the provincial and local levels. Progress towards that goal was the subject of a seminar in Singapore in May 2002 attended by a number of social scientists at universities and special research centres in Europe and Southeast Asia. Many of the papers presented at that seminar have been included in this anthology, with a third of the authors coming from Indonesia. Significantly, there are no weak articles in the anthology and they come together as a whole to give a good portrait of the Indonesian nation, which is unique among recent books describing the structure and policy formulations of that country.

Maribeth Erb, the lead editor of this anthology, sets the political tone of the anthology in the opening article, severely judging the New Order government for its authoritarianism, its paternalism, and its corruption. She notes that efforts at reform in the post-Suharto government have been slow, accompanied by considerable inefficiency, outright stalling, and attempts by some groups to bring the emerging decentralized system under the control of self-serving interests. She is particularly concerned about the manipulators whom she claims are closely associated with the New Order, who are portrayed as promoters of corruption and who thwart the growth of democracy in Indonesia. She makes clear that she sides with the reformers who are interested in devolution of power within the political system and she infers that the other authors of the various articles are in agreement with her viewpoint. This may well be so, but their presentations usually avoid such unequivocal judgements.

The articles fall into three general categories. The first category

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deals with decentralization, usually the dynamics of the process. The strongest of these articles, by Muriel Charras, analyses the criteria used for restructuring the district (*kebupaten*) level of political administration and its meaning to the populations affected by those changes. She assesses that in most cases the new districts have been created to accommodate particular ethnic groups, but that such reconfiguration often have as many drawbacks as benefits in that many ethnic groups are often disadvantaged by the change. The article by Sukardi Rinakit is equally compelling, for he analyses the concerns of the military officer corps, about its long-held position as guardian of the state, and its wide-ranging economic interests that were a boon to many officers. He concludes that decentralization threatens the army politically and economically, and that any government in power would be tempted to appease those officers to gain protection for itself from the political power of street demonstrations. Other articles discussed particular provincial efforts to gain influence and curtail that of the central government, often by financing a large part of new development projects in their region. Overall, these articles on decentralization provide a portrait of a political system undergoing change and showing that altering institutions does not always produce the changes that are intended. Too often new political direction produces frustration and untoward consequences.

A large number of the remaining articles bypass the consideration of decentralization and move directly to the individual author's own anthropological and sociological research. These constitute studies of several important ethnic groups of Indonesia and how they coped in the last years of the New Order era and in the period since its departure. On this point, the great range of the anthology becomes apparent, as the articles describe a representative sample of ethnic groups throughout the archipelago, affording an overview of several key regions of the country. Key among them is the study by Michel Picard on the effect of the tourist trade on the Balinese and the massive assault it has made on traditional culture. He asserts that there has been a subsequent re-identification of the population with Balinese culture, which was marked by a sensitivity to any slights against it, real or imagined. In perhaps the most insightful article of the collection, Maribeth Erb describes the attempts of the Manggarai expatriate community in Jakarta to assert influence on its home area and the reaction to that intrusion by compatriots on Flores who did not immigrate. The issue centres on the performance of a traditional ceremony and its re-invention as a cultural extravaganza for the national cultural theme park in Jakarta, after which it was transported home to the Flores, where there was mixed reaction

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to its use as a cultural feature of the region. Also important is the study by Jamie Davidson on ethnic conflict in western Kalimantan which illustrates the problems of ethnic divisiveness and stereotyping that occur in any society in which mutual tolerance is lost.

The final two articles deal with specific government programmes in pest management and forestry. Both assert that the New Order administrators did not resolve the problems that the programmes were created to address, but actually had a depressing effect by not allowing local target populations to contribute to decision-making. The authors contend that decentralization offers a new opportunity for popular input into the goal-setting phase of the programmes, and thereby are a means of allowing participatory democracy to develop at that level.

There are two significant omissions that might well have been addressed and which would have made the anthology much stronger. First, there is almost no discussion of the superculture described by Hildred Geertz a half century ago, composed of people in Jakarta and other key cities that identify more with the Indonesian nation than with their own ethnicity. That social grouping is much larger than it was in Ms Geertz's time and undoubtedly has its own views on the entire issue of decentralization now taking place. Even as the army was worth describing, so too are those urban, modernizing populations, which were such beneficiaries of the Suharto government, even if the views arising there might be contrary to the trends favoured in the anthology. The second omission concerns the position and role of Islam in the decentralization process, which was largely ignored. Muslims constitute large sections of the population and their identification with centre or periphery is a factor that will have some bearing on the success or failure of the decentralization scheme; in fact, many of the committed Muslims live in the very areas that favour decentralization. A correlation is possible.

The dynamics of decentralization described in the anthology will become dated as new events overtake the information described. However, the numerous cases studies — every article has one to three such descriptions — will give the anthology considerable staying power and it should have a good shelf life. Overall, the strength of the articles makes this anthology a worthwhile read for those interested in contemporary development in Indonesia as well as for political analysts attempting to gain a perspective of the entire decentralization process.

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***State and Society in the Philippines.* By Patricio N. Abinales and Donna J. Amoroso. New York and Oxford: Rowman and Littlefield Publishers, 2005. Softcover: 351pp.**

One could mistake this volume simply as a history textbook about the Philippines. However, it is more than that. It is primarily about state formation and the dynamics of state-society relations that shaped the country's politics, economy, and history all the way from the Spanish colonial period well into the post-Marcos era. The book is divided into ten chapters that are rich in documentation and narratives (in boxes), as well as in-depth description and analyses of contexts and actors, which are quite essential in understanding the nuances of the Philippine state's evolution and state-society relations. The principal concern of the book's authors is to examine "the long history of institutional weakness in the Philippines" as well as the attempts to hurdle the state's "structural fragility and strengthen its bond with society" (pp. 2–3). They also want to stimulate thinking about why the Philippine state remains resilient despite its "weaknesses" (for example, inability to deal with armed rebellions, corruption, mismanagement, and tax collection) and why it has so far not ended up a failed state. Crawford Young's eight main attributes of a modern state served as the basic framework of the book's examination of the nature of the Philippine state and its interactions with various "social forces" defined by Joel Migdal as "powerful mechanisms of associative behaviour" (p. 9) in society.

Chapter 2 of the book situates the Philippines as part of maritime Southeast Asia. The authors argue that, although pre-Spanish Philippines had less centralized polities compared with other parts of the region, it shared the same cultural and political attributes and ruling practices found in many early Southeast Asian states. In particular, small villages called *barangays* were connected through a web of rulers called *datus* that had kinship practices, religious traditions, and a system of hierarchy and dependence, which formed part of early state formation even in the absence of larger "supra-*barangay*" political institutions (p. 38). Archeological, anthropological, and historical evidence and records were cited in the book to support the claim about early state formation, including the Laguna copperplate inscription found in 1986 that was carbon-dated to 900 CE (common era).

The origins of the weak state in the archipelago were attributed by the authors to the (im)balance of power between the clerical and secular state officials during the Spanish colonial period. In particular, the secular administrators were weak in terms of both personnel and power,

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which made them dependent on the friars for the state's basic functions such as collecting tribute. In fact, for the first two centuries of Spanish colonization, the colonial state essentially lacked the administrative and military control of the archipelago even as it also had to deal with both upland retreat (a response to colonial intrusion by indigenous peoples who were labelled *remontados*) and rival state building in the Muslim south — in particular, Maguindanao and Sulu, which pursued their own commercial and diplomatic ties with the larger Islamic world of maritime Southeast Asia.

The authors were quite successful in describing and explaining the changing nature and character of the state throughout different periods in Philippine history. During the high colonial period (1764–1898), the colonial state in Manila became more centralized as part of Spain's efforts to improve administrative performance in its colonies. This was done through better financial accountability in different levels of government, the separation of executive from judicial functions of the state, as well as putting an end to the arbitrary rule of the friars (p. 84). These reform efforts were primarily aimed at improving the conditions in the colony to prevent further social unrest. However, the authors argued that these reforms were undermined by the "autocratic imposition of new policy — a hazard of centrally imposed reform" (p. 87). The reforms initiated in Manila were also met with strong resistance from the friars, "[who] dominated local state and society alike" (p. 88).

Meanwhile, state building during the early years of American rule sustained the "rationalizing and strengthening of the colonial state" initiated by the Spanish through "increasing capacity and infrastructure and consolidating control throughout the territory" (p. 119). In contrast, however, the Americans expanded Filipino involvement in governance and made universal education more accessible to Filipinos. There were also parallel state building efforts in the "special provinces" (that is, the Moros in Mindanao and those in the Cordilleras — a classification that was similar to the "military" provinces under Spain), which were administered by the US Army. The authors contend that, notwithstanding the short period of parallel state building in these areas, the legacy of American colonial rule was the realization of the Philippine "geo-body". For them, the modern Philippine state is "a colonial state creation as well as a nationalist imagining" (p. 125). At the same time, they acknowledge that while the territorial relationship between "insider" and "outsider" was settled under the American colonial period, the issues pertaining to political exclusion remained unresolved.

During the period of the Filipino colonial state (1902–46),

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the authors argued, the focus of state building shifted from "the [institutional] concerns of the Malolos congress to 'politics' — the battle to capture the machinery of representation" (p. 135). The Philippine Assembly became the locus of power and the main venue for political socialization and, consequently, nation-building. The shift from "institutionalism" to "politics" was exemplified in the political careers of two powerful politicians during the American period, namely, Manuel L. Quezon and Sergio Osmeña. Both men utilized their connections with American officials and provincial networks of politicians to win seats in the Philippine Assembly. It was also in this period that the American Governor-General, Francis Burton Harrison, was tasked to implement the "Filipinization" of the colonial state. Specifically, Harrison broadened the powers of Filipino politicians in appointing local and provincial officials; and secondly, ended parallel state building in the "special provinces" by transferring the authority to administer these from the US Army to Filipino civilian officials. However, when Leonard Wood (a former military governor of the Moro province who was popular among Muslims) became Governor-General of the Philippines (1921–26), he reversed many of Harrison's policies and strengthened the capacity of the central state. By refusing to surrender to the "politicization" of the colonial state, Wood became a symbol of "anti-Filipino" Americans in the country at the height of political skirmishes with Quezon and Osmeña who both tried to undermine his administration.

In the post-war period (1946–64), the Philippine state was characterized by the authors in varied ways: (1) as an "ineffective" state under Roxas and Quirino due to serious corruption problems, even though there was also evidence of "professional governance" (p. 177); (2) a "populist" state under Magsaysay, which used his popularity — by mobilizing social forces directly — to "make administrative changes aimed at strengthening the central state as well as his own stature as leader" (p. 181); and (3) a "patchwork" state under Garcia and Macapagal, which was characterized by a "mixture of plunder and professionalism" where there are "small patches of good governance adjoined by larger patches of corruption and inefficiency" (p. 184).

During the Marcos period (1965–86), the state took on different characteristics: (1) a "patchwork" state where "cupidity coexists with national commitment and self-interest overlaps with 'reason of state'" (p. 196); (2) a "dictatorial" state, which saw the height of state dominance over society and endured until 1986; and (3) a "crony capitalist" state that facilitated the capture of the state by vested interests under a capitalist system that was based "not on competition but on monopoly,

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special access, and brute force" (p. 214). Crony capitalism, which effectively plundered the state, precluded economic reforms and contributed to the country's economic deterioration. The authors also highlighted the social forces that challenged the authority of the state during this period (for example, armed communist and Muslim separatists rebels, the Catholic Church, the Reform AFP Movement, urban middle class, and economic elites), which ultimately led to the collapse of the authoritarian regime in 1986.

The remaining chapters of the book covered the post-Marcos period (1986–2004) and focused primarily on the problems and challenges faced by the Aquino, Ramos, Estrada, and Macapagal-Arroyo administrations in pursuing good governance, political and economic reforms, as well as the emergence of civil society organizations in a restored democratic order. Compared with the previous sections of the book, these chapters highlighted more the power of social forces in the country in constraining the autonomy and capability of the state especially in pushing for economic and political reforms. Current issues (for example, parliamentary versus presidential government, the fiscal crisis, Muslim separatism, and the Filipino diaspora) are presented in the final chapter of the book as themes that need further study in relation to state formation in the Philippines.

Notwithstanding the book's outstanding scholarship and admirable depth and breadth of discussion and analyses about state formation and the dynamics of state-society relations in the Philippines, a salivating reader of Philippine politics is left *bitin* (Tagalog for hanging) because the authors did not provide their tentative, if not bold, assessment about why the Philippine state to this day remains resilient despite its weaknesses.

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***International Relations in Southeast Asia: The Struggle for Autonomy.* By Donald E. Weatherbee et al. Oxford, UK: Rowman and Littlefield Publishers, 2005. Softcover: 306pp.**

In the preface of this volume, the principal author, Donald Weatherbee, offers a disarmingly frank and accurate assessment of the book, its

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content, and goals. I can do no better than to quote it in full: "[it] is designed as an introduction to the issues and dynamics of international relations in contemporary Southeast Asia. Its goal is modest. Planned as a textbook, it does not pretend to present new research findings or theoretical insights" (p. xv).

Within these admittedly modest parameters, it succeeds admirably. Students will find it accessibly written, with useful guides to further readings, and boxes highlighting and elaborating on key issues and concepts such as the ASEAN Summits or "Aceh's struggle". As an introduction to the international relations of Southeast Asia, its principal institutions, and some of the key issues that currently animate its policymakers, it is excellent and can be recommended. However, readers who are interested in new research findings and theoretical insights might want to look elsewhere.

Despite Weatherbee's caveat about the absence of new theory, a more substantial introduction to some of the established paradigms might have been useful, even for theory-shy students. Weatherbee actually spends some time talking about the overall significance of the book and the region more generally in the context of theoretical debates in the concluding chapters. Thus it would have been useful if students had been provided with a more extensive sense of what these theoretical debates were about in the context of Southeast Asia, and a clearer sense of the author's own take on some of these issues.

Nevertheless, this is not the book's main intention, and it is perhaps unfair to complain about the absence of something it makes no claims to address. Where the book is on undeniably stronger ground is its systematic discussion of international relations issues and/or problems. The organization of the book is fairly conventional, and none the worse for that. After a useful chapter on the origins of "Southeast Asia", Weatherbee introduces what he considers to be the key "actors" that shape the region's international relations. Importantly, he pays particular attention to non-state actors, which he considers to be especially important, despite his preoccupation with "national interests" and his scepticism about the capacity of anything to overcome them.

The crucially important impact of the Cold War in Asia rightly merits a separate chapter, as does ASEAN and regionalism in Southeast Asia. Again, it might have been helpful to unpack some of the conceptual issues that underpin the idea of regionalism and institution-building, if only to provide a more convincing explanation for his views about ASEAN and its possible inadequacies. One of the most novel parts of this particular volume is the discussion of conflict and conflict resolution in the region, something which involves an analysis of the so-called

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ASEAN Way and the ASEAN Regional Forum, neither of which Weatherbee is entirely convinced by.

Interestingly, two chapters are "outsourced" to other writers. Ralf Emmers and Leonard Sebastian offer an excellent and detailed analysis of the increasingly prominent presence of terrorism and transnational crime in the region. After providing a depressingly long list of security challenges they conclude that ASEAN will need to adopt a "more proactive role" (p. 184) — something that seems highly unlikely given all that Weatherbee has told us about the organization in preceding chapters.

The analysis of Southeast Asia's "regional and international economic cooperation" is comprehensively provided by Mari Pangestu, who sketches the evolution of economic cooperation within the ASEAN framework, before considering the prospects for an ASEAN Economic Community. Pangestu is also not optimistic about ASEAN's capacity to deliver on this vision, suggesting that it may be "overtaken by external arrangements", but that ASEAN will remain important "if only more in name and for geopolitical reasons" (p. 202). Such faint praise may not go down well with ASEAN practitioners, but students will find the arguments plausibly made and supported with much useful empirical detail.

The final two chapters are by Weatherbee and they provide welcome considerations of two important but frequently neglected aspects of Southeast Asia's contemporary position: human rights and the environment. The discussion of human rights contains a lot of material about the general international situation, not all of which is directly relevant to the Southeast Asian experience. Nevertheless, the specific discussion of the human rights records of places such as Burma, Cambodia, and Indonesia is very useful given the prominence these issues have assumed in relations between Southeast Asia and the rest of the world. Likewise, the environment ultimately has the potential to overshadow other, more conventional security concerns, begging the question of how "security" should actually be thought of in the contemporary era.

In light of these discussions I found it slightly surprising that in his Conclusion Weatherbee was so adamant that "there is no regional interest derived independently of or transcending national interest" (p. 278). Clearly, if some problems are to be addressed (never mind resolved), they actually demand transnational solutions. Indeed, the very definition of "problems" and the best ways of approaching them would seem to be contested and subject to precisely the sorts of non-state and transnational pressures Weatherbee describes so well in earlier

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chapters. The normative environment of world politics clearly has changed over the last few decades, and Southeast Asia's leaders are being forced to confront this, even if it is only to reject it and retreat into costly, self-destructive isolation, as Burma has done.

However, by its own admission this is not a book that is necessarily seeking to transform debates about Southeast Asia, but to introduce students to them, and the factors that have underpinned them in this highly distinctive region. Apart from the usual glaring absence of any substantive discussion of the region's underlying economic structures, circumstances, and prospects — "international relations" scholars still seem to think such issues are peripheral despite events like the Asian financial crisis and its implications for intra- and inter-regional relations — this book provides a sound introduction to the region.

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India Briefing: Takeoff at Last? **Edited by Alyssa Ayres and Philip Oldenburg. Armonk, New York: M.E. Sharpe, 2005. Softcover: 285pp.**

"India Rising" has been the constant refrain in the global academic, policy, and strategic communities. The past decade has been momentous in terms of India's robust economic and industrial growth, its burgeoning knowledge capital and industrial capabilities — a new confidence in its foreign policy and diplomatic initiatives and an assertion of its strategic and military capabilities that had come with the 1998 nuclear tests and an expanding versatile profile of its maritime power.

Globalization has been the pivotal force of India's social and economic transformation that has unshackled its potential. The paradigm shift from its autarkic economic process to a liberalized competitive process has been crucial in the realization of W.W. Rostow's conception of the "takeoff" stage of economic robustness.

India Briefing is a project of the Asia Society, New York. It has been a systematic, coherent, and rigorous commentary on India's promise and performance. Articulated on an annual basis as a review of the country's systemic performance, it comprehensively assesses the rising Asian power's political capacity, social cohesion, economic viability,

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strategic autonomy and operations, technological capabilities and its knowledge capital.

The volume entitled *India Briefing: Takeoff at Last?* — the eleventh publication in the series of annual reviews that has been eloquently written with rigour, factual substance, and analysis by several eminent authors brings to focus the vicissitudes of India with its glowing and promising performance of a credible takeoff curve that has been convincing. The editors of this volume, Alyssa Ayres and Philip Oldenburg have structured the thematic organization of this book predicated on the changing contours of Political India and Economic India as the primary pillars of India's transformation.

India Briefing: Takeoff at Last? commences with an Introduction that is a review of India in retrospect. The editors analyse the issues of significance of India that have furnished the rationale to label the subtitle *Takeoff at Last.*

Niraja Gopal Jayal sketches the essay "Politics: The BJP Falls from Power" based on the analysis of the political narratives of democracy and coalition governance in India. It analyses the causal symptoms of the BJP-NDA alliance (Bharatiya Janata Party–National Democratic Alliance) defeat in the 2004 General Election and the nuances of coalition government formation and performance in India. The essay is diachronic in scope in that it analyses the various events of the NDA coalition, its policy profile, its governance styles, and its public image and perception. Jayal analyses the BJP-NDA coalition's poll debacle and follows it with the challenges and issues facing the Congress–United Progressive Alliance and its governance. She analyses the issues of governance in the context of economic and public policy and how the various issues of governance and public policy have been synthesized as a compromise for the sake of coalition government stability.

The Indian economy has been portraying a consistent profile of performance notwithstanding the changes of government and the demands of coalition governance. *Isher Judge Ahluwalia* narrates the promise and performance of structural reforms in the Indian economy in his essay "Indian Economy: New Pathways to Growth and Development". The analysis rigorously examines the pathways of India's experiment and experience of structural reforms in its public sector, and the significant dividends yielded in the rate of growth via consistent strength in the macroeconomic aspects. The essay locates the context and the challenges contended by structural reform in the past decades of the Indian economy. The issues of deregulation, productivity, poverty reduction, and the fiscal management that were prevalent in the 1980s provided the systemic basis of change. The author analyses the historical

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dateline of reforms since 1991 — the threshold in economic reforms. Structural reforms with a human face are also examined and the imperatives of the social safety nets in the process are evaluated. The essay assesses the impact of reforms on macroeconomic management, infrastructure development, and integration into the world economy as a consequence of India's tryst with globalization.

India's international relations since 1991 has been a quest to seek autonomy and pro-action in its strategic sphere. Amitabh Mattoo examines the paradigms of neorealism and grand strategy of India in his essay "India's International Relations: The Search for Stability, Space and Strength". The location of India's grand strategic paradigm is in the quest to build its comprehensive national power rooted in a robust economic growth; its resilient technological endeavours; the quest for an assertive foreign and security policy in the concentric circles of India's neighbourhood; diplomatic and economic engagement in its extended neighbourhood of Central Asia, Southwest Asia, Southeast Asia (as evidenced by its Look East policy since the 1990s) to seek its rightful place in World Affairs commensurate with its power and profile. The author examines in detail the foreign policy challenges of India in its immediate neighbourhood and the challenges of asymmetric conflict and terrorism that have emanated from Kashmir. The issue of Kashmir is dealt with in length with several crucial policy implications and prognostications.

The transformation in the Indian social and cultural prism is evident in the rise of religion in the public space in India. Hinduism has metamorphosed from being a social and ethical system of individual beliefs and norms into a political religion based on the concept of religious and political majoritarianism. Richard H. Davis analyses "The Cultural Implications of the Hindutva" that has been India's emergent political religion. Hindutva has a radical political agenda that has been resonating in the Indian public space since the late 1980s. Davis examines the epistemological structure of Hindutva vis-à-vis Nehruvian secularism and other public discourses of socialism and liberalism in the Indian context. The analysis traces the roots of the ideological formation in its civilizational and social context of India; the metaphysical and the philosophical roots of Hinduism and its correlation to the praxis of its contemporary manifestation. Having traced the historical and civilizational contexts, the author brings to fore the issues of organizational formation in its political and religious foundations of the Hindutva groups in the political and social mosaic of India. He makes a detailed analysis of the structure and roles of the various groups of the "Saffron Brotherhood". The essay eloquently

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locates the issues of myth-making and the myth manipulation employed for political gains by the BJP by appropriating the religious and mythical value of these articulations. The essay succinctly analyses the politics and religion of shrine demolition and shrine construction and the political and electoral spin-offs of this game.

"Work and Wealth" is a thematic construct in this volume that has been succinctly narrated by Renana Jhabvala. This essay attempts a systematic analysis of the emerging templates of the Indian economy and society in the globalization age that has its central emphasis on the creation of assets and affluence in the transforming landscape of India's economic and social sectors. The author analyses the transformations in agriculture, industry, manufacturing, construction, and the informal economy that has been in evolution over a long period of time. The essay analyses the costs and benefits of the new economy and the patterns of wealth accumulation and the continued bane of poverty that afflicts India even as its population remains vast and expanding. It evaluates the consequences of poverty alleviation, wealth distribution and the human development indices and profile of India. It concludes on the imperatives of growth with a human face.

The role and primacy of entertainment in the celluloid world continues in India as the single robust factor of India. Manjeet Kriplani elucidates the changing contours of India's film world — Bollywood. The essay analyses the nature and transformation of India's cinema that is abounding with talent and new ideas. It analyses the consequences of intense commercialization and the trends of professionalization in the cinema industry. The changing contexts of India's Bollywood are amply reflected in the appeal of mob psychosis and temperament and the emerging aesthetics of the Indian fan.

The digital revolution in India has increased India's profile and its knowledge capital in manifold dimensions in the globalization era. Mary Rader provides a thematic analysis of India's knowledge profile in "Downloading India: A Guide to Online Resources". The cataloguing of the various digital portals in the cyberspace provides substantial evidence of the enormous growth and diversification of the knowledge capital and entrepreneurship in India. The author has provided a systematic and excellent catalogue of the various cyberspace portals and databases on India.

The volume cumulates with a Chronology — a political diary from 2001, 2002, and 2003, and an exhaustive catalogue of abbreviations and glossary. In sum, the authors of *India Briefing: Takeoff at Last?* have provided a polyhedral and holistic assessment of India in all its salience and vicissitudes that constitutes a substantial analysis and balanced

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perspective of India — devoid of exaggeration but nourished with substance and blended by the rigours of analysis and sophistication. Indeed, this volume is an excellent rendition of India.

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***The Emergence of Modern Southeast Asia: A New History*. Edited by Norman G. Owen. Honolulu, Hawaii: University of Hawaii Press, 2005. Softcover: 541pp.**

This is the best introductory text on Southeast Asian History that the reviewer had come across in many years. Though there are many compilations reviewing the political and/or economic history of the region that came to be commonly recognized as Southeast Asia in the aftermath of World War II as well as numerous illuminating monographs and books on individual states located within the region, this volume stands out as a balanced and parsimonious account of how Southeast Asia has come to be what it is now. It is quite successful in capturing the essence of the region's trials and tribulations in coping with, first, colonialism and, later, globalization.

It is tempting to compare this product of collective endeavour by a group of Southeast Asianists with *In Search of Southeast Asia*, its distinguished and successful predecessor produced by almost the same group of scholars (with the exception of two new contributors) some 18 years ago. However, as indicated in the Preface, it is "a fresh look at modern Southeast Asian History", intended as a "shorter more accessible text for the twenty-first century" (p. iv), perhaps cognizant of an audience belonging to a generation overwhelmingly accustomed to short audio-visual inputs — and altogether assumes a separate identity. As such, it will be treated as a different book in its own right and not viewed through lens coloured by the earlier book.

The book, organized into 37 chapters in five parts, manages to trace the "processes of historical transformation" as well as to portray the "chronological narratives of events" unfolding across time and space (p. xi) in a clear and concise narrative. The 13 "general" and 24 "country" chapters complement one another, especially on "developments that do not fit easily into conventional chronology and

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are not unique to a single country" (p. xi). The thematic exposition of "common" issues in the form of lead chapters preceding country analyses (in Part 2 and Part 5) or as entire parts (Part 1 and Part 3) helps contextualize the socio-economic and political transformations undergone by the individual countries in a span of some three centuries and provides regional coherence in interpreting the seemingly disparate events and processes in individual countries. Here, the only quibble would be the absence of a chapter, in Part 5, dealing with the military's role in Southeast Asian politics, political institutions and state building, and democratization. On the other hand, the inclusion of "Changing Names", briefly describing "how the countries and peoples of Southeast Asia came to be called what they are today", is a very useful bonus for the reader and serves as an appetizer for the remarkable main course. The extremely judicious use of tables (only two on demographics) and the visual depiction of the evolving region through a series of maps sequenced chronologically have enhanced the user-friendliness of the book.

There is no attempt to define "modernity" in the context of Southeast Asia, perhaps a deliberate omission to avoid being dragged into the controversies associated with various interpretations of the term. From the cover design, various illustrations (especially the cityscapes of "modern" Singapore and Kuala Lumpur), and the blurb on the back cover, it may be deduced that the book identifies "modernization" with material progress and enhanced welfare of the polities concerned and modernity as represented by objective conditions of state and society at the turn of the century.

The short list of "Further Readings" at the end of each chapter, in lieu of an extensive bibliography, caters for those who wish to dig deeper into the topics and countries concerned without overburdening the already lengthy book with additional pages of bibliographic material. Nonetheless, the reviewer was a little disappointed by the paucity of native authors among the references cited in those readings despite the admission that "[t]here is little we can say about such issues that has not already been said by Southeast Asian intellectuals with greater fervour, and in many cases, greater eloquence" (p. 409). The reviewer felt that it would do well to include some more references in the list of readings. Such a wish list of additions would be something like the following: "Introduction": O.W. Wolters, *History, Culture and Region in Southeast Asian Perspectives* (reprint 1999), George McTurnan Kahin, ed., *Governments and Politics of Southeast Asia* (1964); "Chapter 2": Trevor O. Ling, ed., *Buddhist Trends in Southeast Asia* (1993), Than Tun, ed., By Paul Strachan, *Essays on the History and Buddhism of*

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Burma (1988); "Chapter 22": Ba Maw, *Breakthrough in Burma: Memoirs of a Revolution 1939–1946* (1968), Khin Yi, *The Dobama Movement in Burma (1930–1938)* (1988), Mary P. Callahan, *Making Enemies: War and State Building in Burma* (2003); "Chapter 27": Estrella D. Solidum, *The Politics of ASEAN: An Introduction to Southeast Asian Regionalism* (2003), Hal Hill, ed., *The Economic Development of Southeast Asia*, 4 vols. (2002); "Chapter 28", Muthiah Alagappa, ed., *Coercion and Governance: The Declining Role of the Military in Asia* (2001), Alfred W. McCoy, *The Politics of Heroin in Southeast Asia* (1972); "Chapter 29": Shamsul A.B., *From British to Bumiputera Rule: Local Politics and Rural Development in Peninsular Malaysia* (1986); "Chapter 31": Adam Schwarz, *A Nation in Waiting: Indonesia's Search for Stability* (1999); "Chapter 32": Anek Laothamatas, *Business Associations and the New Political Economy of Thailand: From Bureaucratic Polity to Liberal Corporatism*; "Chapter 35": Sorpong Peou, *Intervention and Change in Cambodia: Towards Democracy?* (2000), Harish C. Mehta and Julie B. Mehta, *Hun Sen: Strongman of Cambodia* (1999); "Chapter 37": Christina Fink, *Living Silence: Burma under Military Rule* (2001), Martin J. Smith, *Burma: Insurgency and the Politics of Ethnicity* (1999).

In the thematic and country chapters, there are a few instances in which the reviewer found some points of disagreement in terms of fact and interpretation as well as omission of some events which warrant inclusion due to their historical significance. For example, the historic Panglong Agreement which has been reified by both the Bamars and the ethnic groups and has assumed renewed significance in the post-1988 ethnic politics is a surprising omission in the important section on Myanmar's independence (p. 332). Moreover, it is not true that Aung San had "the trust of the communists", as asserted on page 332. In fact, information from primary sources suggests that the leaders of the Burma Communist Party regarded Aung San as a political novice whom they could outmanoeuvre and beat in the political game. Singapore's remarkable switch to an economic strategy of foreign direct investment, export-oriented industrialization, and free trade that led to its success as a Southeast Asian "tiger", though significant in its own unique circumstances, does not signify the "most important development in Southeast Asia's economy" (p. 383) as there is no evidence that the other "high-performing" economies such as Malaysia and Thailand had been emulating the city state or that Singapore's success has had a demonstration effect over their choice of economic strategies. The assertion that governments in "Myanmar, Thailand and Cambodia, secretly condoned and profited from the [narcotics] traffic for many years even though nominally fighting it" (p. 405) is a sweeping allegation

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and, therefore, misleading and inaccurate. It is more a matter of resource inadequacy, insufficient state capacity, and corruption of some officials than governmental collusion.

In the section on protests against military rule (p. 499) there is no mention of the use of military firepower against the demonstrators that resulted in scores of deaths in 1962 and 1974. The July 1962 shootings and the violent suppression of workers protests in 1974 are significant because they had assumed a symbolic dimension for those rallying to oppose military rule for the last four decades. With regard to the BSPP (Burma Socialist Programme Party) Chairman Ne Win's admission, in August 1987, of the party's failure (p. 502), instead of it being kept secret, the meeting and the speech were widely reported in the government media. Finally, with respect to the teashop brawl that precipitated the 1988 uprising (p. 503), it would be more accurate to say that the fight was between university students and locals from the neighbourhood.

Many editors and writers would understand how difficult it is to marshal the intellectual energies (and idiosyncrasies if not prejudices) of eight authors of varying age and experience to produce a coherent and readable volume out of the histories of ten states that had meandered along somewhat disparate trajectories. The authors, especially the editor, must be congratulated for "pulling it off" within a span of less than four years after inception. The book itself is the embodiment of "unity in diversity", the leitmotif of Southeast Asia.

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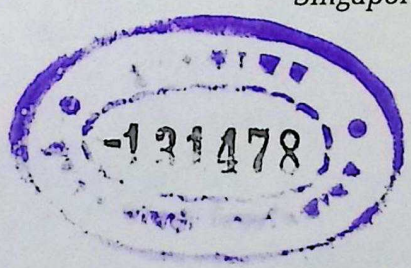

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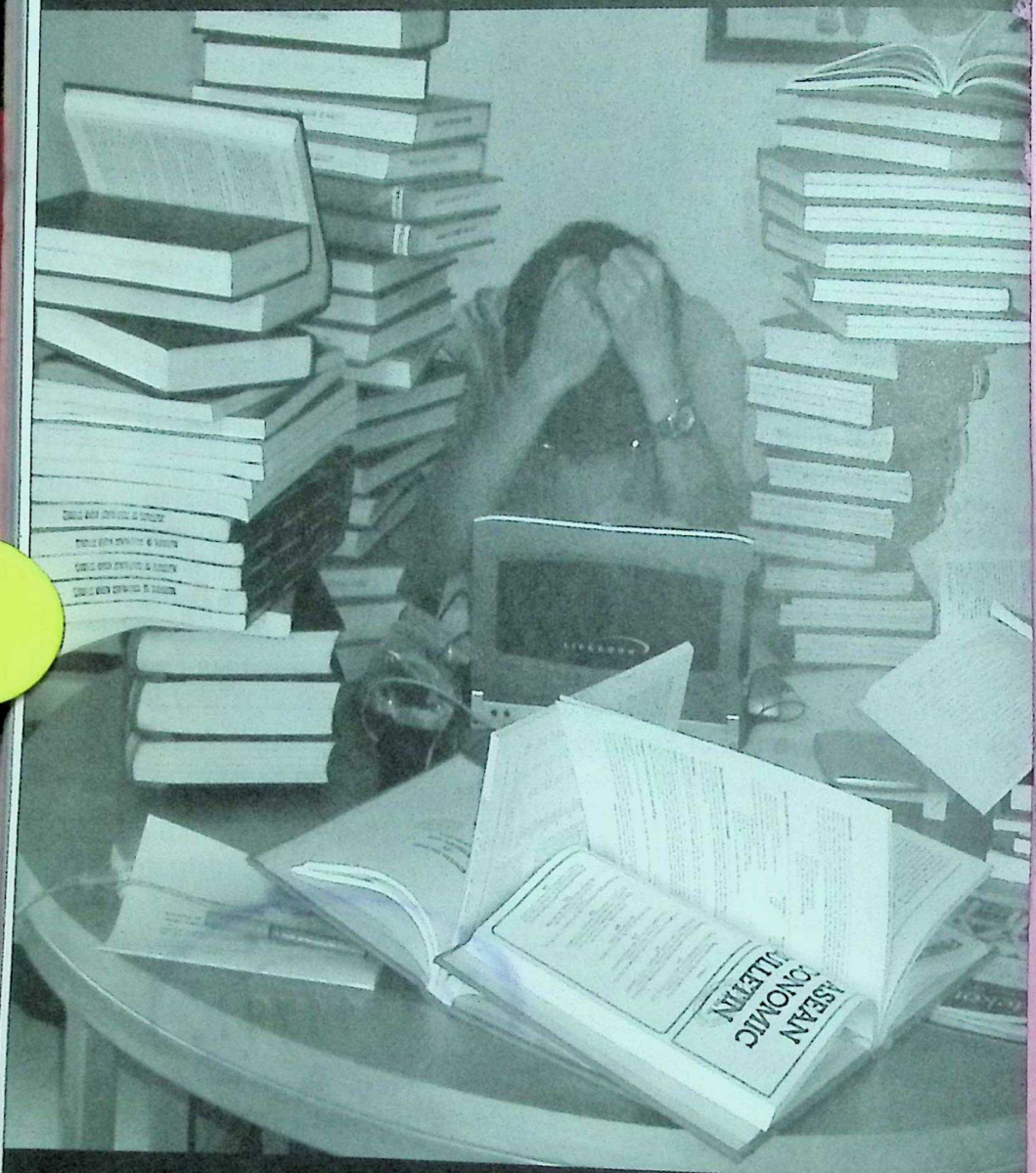

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